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GENERAL

PUBLIC ACTS OF CONGRESS,

RESPECTING

THE SALE AND DISPOSITION OF THE PUBLIC LANDS,

WITH

INSTRUCTIONS ISSUED, FROM TIME TO TIME,

BY THE

SECRETARY OF THE TREASURY AND COMMISSIONER OF THE GENERAL
LAND OFFICE,

AND

OFFICIAL OPINIONS OF THE ATTORNEY GENERAL

ON QUESTIONS ARISING UNDER THE LAND LAWS.

IN TWO PARTS.

PART I, containing the Laws to the close of the second session of the Twenty-fifth Congress.

PART II, containing the Instructions and Opinions to the 17th of August, 1838.

U. S. - Congress

PREPARED AND PRINTED BY ORDER OF THE SENATE.

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of Cambridge.

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Its 182

IN THE SENATE OF THE UNITED STATES,

February 28, 1837.

Resolved, That the Secretary of the Treasury cause to be prepared a collection of the instructions which have been issued, from time to time, either by the Secretary of the Treasury or the Commissioner of the Land Office, excepting only such as refer exclusively, both in principle and application, to particular or individual cases; together with the official opinions of the Attorney General on questions arising under the land laws.

Resolved, That the Secretary of the Senate cause the general public acts of Congress respecting the sale and disposition of the public lands, together with the instructions and opinions mentioned in the foregoing resolution, to be printed for the use of the Senate.

Attest :

ASBURY DICKINS,

Secretary of the Senate U. S.

GENERAL
PUBLIC ACTS OF CONGRESS

RESPECTING

THE SALE AND DISPOSITION OF THE PUBLIC LANDS.

[The marginal notes refer to the LAWS; those at the end of each law, to the OPINIONS and INSTRUCTIONS.]

CHAPTER 1.—Whereas the Parliament of Great Britain have thought fit, by a late act, not only to invite our troops to desert our service, but to direct a compulsion of our people, taken at sea, to serve against their country :

In Congress,
1776, August 14.

Resolved, therefore, That these States will receive all such foreigners who shall leave the armies of his Britannic Majesty in America, and shall choose to become members of any of these States; and they shall be protected in the free exercise of their respective religions, and be invested with the rights, privileges, and immunities, of natives, as established by the laws of these States; and, moreover, that this Congress will provide for every such person fifty acres of unappropriated lands in some of these States, to be held by him and his heirs in absolute property.

Invitation to for-
eigners.

CHAP. 2.—*Resolved,* That this Congress will give to all such of the said foreign officers as shall leave the armies of his Britannic Majesty in America, and choose to become citizens of these States, unappropriated lands in the following quantities and proportions, to them and their heirs, in absolute dominion :

In Congress,
1776, August 27.
Lands promised to
foreign officers.

- To a colonel, 1,000 acres;
- To a lieutenant colonel, 800 acres;
- To a major, 600 acres;
- To a captain, 400 acres;
- To a lieutenant, 300 acres;
- To an ensign, 200 acres;

To every non-commissioned officer, 100 acres;
and to every other officer or person employed in the said foreign corps, and whose office or employment is not here specifically named, in the like proportion to their rank or

pay in the said corps; and, moreover, that where any officers shall bring with them a number of the said foreign soldiers, this Congress, beside the lands before promised to the said officers and soldiers, will give to such officers further rewards, proportioned to the numbers they shall bring over, and suited to the nature of their wants: *Provided*, That such foreign officers or soldiers shall come over from the armies of his Britannic Majesty before these offers shall be recalled.

In Congress,
1776, Sept. 16.

Lands to revolutionary officers and soldiers.

* See *infra*, ch. 4,
also ch. 8.

CHAP. 3.—*Resolved*, That Congress make provision for granting lands, in the following proportions, to the officers and soldiers who shall so engage in the service, and continue therein to the close of the war,* or until discharged by Congress, and the representatives of such officers and soldiers as shall be slain by the enemy.

Such lands to be provided by the United States, and whatever expense shall be necessary to procure such land, the said expense shall be paid and borne by the States, in the same proportion as the other expenses of the war, viz :

To a colonel, 500 acres;

To a lieutenant colonel, 450;

To a major, 400;

To a captain, 300;

To a lieutenant, 200;

To an ensign, 150;

Each non-commissioned officer and soldier, 100.

In Congress,
1776, Sept. 18.

Grant of Sept. 16
extended. See ch.
3.

CHAP. 4.—*Resolved*, That the bounty and grants of land offered by Congress, by a resolution of the 16th instant, as an encouragement to the officers and soldiers to engage to serve in the army of the United States during the war, shall extend to all who are or shall be enlisted for that term; the bounty of ten dollars, which any of the soldiers have received from the continent on account of a former enlistment, to be reckoned in part payment of the twenty dollars offered by the said resolution.

In Congress,
1776, Sept. 20.

Assignments inoperative. See ch.
17, post.

CHAP. 5.—In order to prevent the officers and soldiers who shall be entitled to the lands hereafter to be granted by the resolution of Congress of the 16th from disposing of the same during the war:

Resolved, That Congress will not grant lands to any person or persons claiming under the assignment of an officer or soldier.

CHAP. 6.—*Resolved*, That the provision for granting lands, by the resolution of September 16th, 1776, be, and is hereby, extended to the general officers, in the following proportion: to a major general, 1,100 acres; a brigadier general, 850 acres.

In Congress,
1780, August 12.
Grants extended.

CHAP. 7.—*Resolved*, That the several officers whose pay is established as above, (except the stewards and ward-masters,) shall, at the end of the war, be entitled to a certain provision of land, in the proportion following, viz:

In Congress,
1780, Sept. 30.
Provision to officers of the army.

The director to have the same quantity as a brigadier general;

Chief physician and purveyor, the same as a colonel;

Physicians and surgeons and apothecary, the same as a lieutenant colonel;

Regimental surgeons and assistants to the purveyor and apothecary, the same as a major;

Hospital and regimental surgeons' mates, the same as a captain.

CHAP. 8.—And whereas, by the foregoing arrangement,* many deserving officers have become supernumerary, and it is proper that regard be had to them:

In Congress,
1780, October 3.
* Reducing the army.

Resolved, That, from the time the reform of the army takes place, they be entitled to half pay for seven years, in specie, or other current money equivalent, and also grants of land at the close of the war, agreeably to the resolution of the 16th of September, 1776.

Grants of land to supernumerary officers.

CHAP. 9.—*Resolved*, That the unappropriated lands that may be ceded or relinquished to the United States by any particular State, pursuant to the recommendation of Congress of the 6th day of September last, shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican States, which shall become members of the federal Union, and have the same rights of sovereignty, freedom, and independence, as the other States; that each State which shall be so formed shall contain a suitable extent of territory, not less than one hundred nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit; that the necessary and reasonable expenses which any particular State shall have incurred since the commencement of the present war, in subduing any British posts, or in maintaining forts or garrisons within and for the defence, or in acquiring any part of the territory that may be ceded or relinquished to the United States, shall be reimbursed.

In Congress,
1780, October 10.
General principles respecting State cessions.

Public domain to be chargeable with State advances for its acquisition.

That the said lands shall be granted or settled at such

times, and under such regulations, as shall hereafter be agreed on by the United States in Congress assembled, or any nine or more of them.

In Congress,
1783, April 23.
Inducements to Canadian refugees.

CHAP. 10.—*Resolved*, That, whenever Congress can consistently make grants of land, they will reward in this way, as far as may be consistent, the officers, men, and others, refugees from Canada.

In Congress,
1783, Sept. 22.

CHAP. 11.—*By the United States in Congress assembled*,
A PROCLAMATION.

Whereas, by the 9th of the articles of confederation, it is among other things declared that “the United States in Congress assembled have the sole and exclusive right and power of regulating the trade and managing all affairs with the Indians not members of any of the States, provided that the legislative right of any State, within its own limits, be not infringed or violated :” And whereas it is essential to the welfare of the United States, as well as necessary for the maintenance of harmony and friendship with the Indians not members of any of the States, that all cause of quarrel or complaint between them and the United States, or any of them, should be removed and prevented : Therefore, the United States in Congress assembled have thought proper to issue their proclamation, and they do hereby prohibit and forbid all persons from making settlements on lands inhabited or claimed by Indians, without the limits or jurisdiction of any particular State, and from purchasing or receiving any gift or cession of such lands or claims, without the express authority and directions of the United States in Congress assembled.

Settlements on Indian lands, and purchases from Indians, prohibited.

And it is moreover declared that every such purchase or settlement, gift or cession, not having the authority aforesaid, is null and void, and that no right or title will accrue in consequence of any such purchase, gift, cession, or settlement.*

*See chap. 11, 15, 19.

Done in Congress at Princeton.

In Congress,
1784, April 23.

*Repealed by ordinance of July 13, 1787. See chap. 15.

CHAP. 12.*—*Resolved*, That so much of the territory ceded or to be ceded by individual States to the United States, as is already purchased or shall be purchased of the Indian inhabitants, and offered for sale by Congress, shall be divided into distinct States in the following manner, as nearly as such cessions will admit ; that is to say: by parallels of latitude, so that each State shall comprehend, from north to

south, two degrees of latitude, beginning to count from the completion of forty-five degrees north of the equator, and by meridians of longitude, one of which shall pass through the lowest point of the rapids of Ohio, and the other through the western cape of the mouth of the Great Kanhaway; but the territory eastward of this last meridian, between the Ohio, Lake Erie, and Pennsylvania, shall be one State, whatsoever may be its comprehension of latitude. That which may lie beyond the completion of the forty-fifth degree, between the said meridians, shall make part of the State adjoining it on the south; and that part of the Ohio which is between the same meridians, coinciding nearly with the parallel of thirty-nine degrees, shall be substituted so far in lieu of that parallel as a boundary line.

That the settlers on any territory so purchased and offered for sale shall, either on their own petition, or on the order of Congress, receive authority from them, with appointments of time and place, for their free males of full age, within the limits of their State, to meet together for the purpose of establishing a temporary government, to adopt the constitution and laws of any one of the original States; so that such laws, nevertheless, shall be subject to alteration by their ordinary Legislature; and to erect, subject to a like alteration, counties, townships, or other divisions, for the election of members for their Legislature.

Settlers on lands purchased, to form a temporary government.

That when any such State shall have acquired twenty thousand free inhabitants, on giving due proof thereof to Congress, they shall receive from them authority, with appointments of time and place, to call a convention of representatives to establish a permanent constitution and government for themselves: *Provided*, That both the temporary and permanent governments be established on these principles as their basis:

1. That they shall forever remain a part of this confederacy of the United States of America. Restrictions.

2. That they shall be subject to the articles of confederation in all those cases in which the original States shall be so subject, and to all the acts and ordinances of the United States in Congress assembled, conformable thereto.

3. That they in no case shall interfere with the primary disposal of the soil by the United States in Congress assembled, nor with the ordinances and regulations which Congress may find necessary for securing the title in such soil to the bonafide purchasers.

4. That they shall be subject to pay a part of the federal debts contracted, or to be contracted, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States.

5. That no tax shall be imposed on lands the property of the United States.

6. That their respective governments shall be republican.

7. That the lands of nonresident proprietors shall in no case be taxed higher than those of residents within any new State, before the admission thereof to a vote by its delegates in Congress.

Conditions precedent in the formation of new States, and their admission into the Union.

That whensoever any of the said States shall have, of free inhabitants, as many as shall then be in any one the least numerous of the thirteen original States, such State shall be admitted by its delegates into the Congress of the United States, on an equal footing with the said original States; provided the consent of so many States in Congress is first obtained as may, at the time, be competent to such admission. And in order to adapt the said articles of confederation to the state of Congress when its numbers shall be thus increased, it shall be proposed to the Legislatures of the States originally parties thereto, to require the assent of two thirds of the United States in Congress assembled, in all those cases wherein, by the said articles, the assent of nine States is now required, which, being agreed to by them, shall be binding on the new States. Until such admission by their delegates into Congress, any of the said States, after the establishment of their temporary government, shall have authority to keep a member in Congress, with a right of debating, but not of voting.

Powers reserved by Congress.

That measures not inconsistent with the principles of the confederation, and necessary for the preservation of peace and good order among the settlers in any of the said new States, until they shall assume a temporary government as aforesaid, may, from time to time, be taken by the United States in Congress assembled.

This ordinance to be fundamental.

That the preceding articles shall be formed into a charter of compact; shall be duly executed by the President of the United States in Congress assembled, under his hand and the seal of the United States; shall be promulgated; and shall stand as fundamental constitutions between the thirteen original States, and each of the several States now newly described, unalterable from and after the sale of any part of the territory of such State, pursuant to this resolve, but by the joint consent of the United States in Congress assembled, and of the particular State within which such alteration is proposed to be made.

[See Part II, Nos. 13, 35, 43, 134, 136, 137.]

In Congress,
1785, April 13.
Promises to Canadian refugees.

CHAP. 13.—*Resolved*, That Jonathau Eddy, and other refugees from Nova Scotia, on account of their attachment to the interest of the United States, be recommended to the humanity and particular attention of the several States in which they respectively reside; and that they be informed that, whenever Congress can consistently make grants of land, they will reward, in this way, as far as may be consist-

ent, such refugees from Nova Scotia as may be disposed to live in the Western country.

CHAP. 14.—An ordinance for ascertaining the mode of disposing of lands in the Western Territory.*

In Congress,
1786, May 20.

*See chaps. 28, 72,
93, 121, 136, 240,
336, 424, 458.

Be it ordained by the United States in Congress assembled, That the territory ceded by individual States to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner :

A surveyor from each State shall be appointed by Congress, or a Committee of the States, who shall take an oath for the faithful discharge of his duty, before the geographer of the United States, who is hereby empowered and directed to administer the same ; and the like oath shall be administered to each chain-carrier, by the surveyor under whom he acts.

Surveyors to be appointed, &c.

The geographer, under whose direction the surveyors shall act, shall occasionally form such regulations for their conduct as he shall deem necessary ; and shall have authority to suspend them for misconduct in office, and shall make report of the same to Congress, or to the Committee of the States ; and he shall make report in case of sickness, death, or resignation, of any surveyor.

Geographer to form regulations, &c.

The surveyors, as they are respectively qualified, shall proceed to divide the said territory into townships of six miles square, by lines running due north and south, and others crossing these at right angles, as near as may be, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circumstances may require. And each surveyor shall be allowed and paid at the rate of two dollars for every mile in length he shall run, including the wages of chain-carriers, markers, and every other expense attending the same.

Surveyors to divide the territory into townships, &c.

Compensation to surveyors.

The first line running north and south, as aforesaid, shall begin on the Ohio river, at a point that shall be found to be due north from the western termination of a line which has been run as the southern boundary of the State of Pennsylvania ; and the first line running east and west shall begin at the same point, and shall extend throughout the whole territory : *Provided*, That nothing herein shall be construed as fixing the western boundary of the State of Pennsylvania. The geographer shall designate the townships or fractional parts of townships by numbers, progressively, from south to north, always beginning each range with No. 1 ; and the ranges shall be distinguished by their progressive numbers to the westward—the first range, extending from the Ohio to the Lake Erie, being marked No. 1. The geographer shall personally attend to the running of the first east

First lines to begin on the Ohio, &c.

Townships, &c. to be numbered, &c.

Geographer to take latitude, &c.

and west line, and shall take the latitude of the extremes of the first north and south line, and of the mouths of the principal rivers.

Lines to be measured, marked, &c.

The lines shall be measured with a chain, shall be plainly marked by chaps on the trees, and exactly described on a plat, whereon shall be noted by the surveyor, at their proper distances, all mines, salt springs, salt licks, and mill seats, that shall come to his knowledge; and all watercourses, mountains, and other remarkable and permanent things over or near which such lines shall pass, and also the quality of the lands.

Plats of townships to be marked into lots, &c.

The plats of the townships, respectively, shall be marked by subdivisions into lots one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 36; always beginning the succeeding range of the lots with the number next to that with which the preceding one concluded. And where, from the causes before mentioned, only a fractional part of a township shall be surveyed, the lots protracted thereon shall bear the same numbers as if the township had been entire. And the surveyors, in running the external lines of the townships, shall, at the interval of every mile, mark corners for the lots which are adjacent, always designating the same in a different manner from those of the townships.

Corners for adjacent lots, &c.

Variation of the magnetic needle, &c.

The geographer and surveyors shall pay the utmost attention to the variation of the magnetic needle, and shall run and note all lines by the true meridian, certifying with every plat what was the variation at the times of running the lines thereon noted.*

*Repeated. See infra, chap. 17.

Plats of seven ranges first surveyed, to be returned, &c.

As soon as seven ranges of townships and fractional parts of townships, in the direction from south to north, shall have been surveyed, the geographer shall transmit plats thereof to the Board of Treasury, who shall record the same, with the report, in well-bound books, to be kept for that purpose. And the geographer shall make similar returns, from time to time, of every seven ranges, as they may be surveyed. The Secretary of War shall have recourse thereto, and shall take by lot therefrom a number of townships and fractional parts of townships, as well from those to be sold entire as from those to be sold in lots, as will be equal to one seventh part of the whole of such seven ranges, as nearly as may be, for the use of the late continental army; and he shall make a similar draught, from time to time, until a sufficient quantity is drawn to satisfy the same, to be applied in manner hereinafter directed.†

†See supplement to this ordinance, of 9th July, 1783, post, and act of 18th May, 1796.

‡Repeated. See chapter 23.

The Board of Treasury shall, from time to time, cause the remaining numbers, as well those to be sold entire as those to be sold in lots, to be drawn for, in the name of the thirteen States,‡ respectively, according to the quotas in the last preceding requisition on all the States: *Provided*, That in case more land than its proportion is allotted for sale in any State at any distribution, a deduction be made therefor at the next.

The Board of Treasury shall transmit a copy of the original plats, previously noting thereon the townships and fractional parts of townships which shall have fallen to the several States by the distribution aforesaid, to the commissioners of the loan office of the several States, who, after giving notice of not less than two nor more than six months, by causing advertisements to be posted up at the court-houses or other noted places in every county, and to be inserted in one newspaper published in the States of their residence, respectively, shall proceed to sell the townships or fractional parts of townships, at public vendue, in the following manner, viz: the township or fractional part of a township No. 1, in the first range, shall be sold entire; and No. 2, in the same range, by lots; and thus, in alternate order, through the whole of the first range. The township or fractional part of a township No. 1, in the second range, shall be sold by lots; and No. 2, in the same range, entire; and so, in alternate order, through the whole of the second range; and the third range shall be sold in the same manner as the first, and the fourth in the same manner as the second; and thus, alternately, throughout all the ranges: *Provided*, That none of the lands within the said territory be sold under the price of one dollar the acre, to be paid in specie, or loan office certificates reduced to specie value by the scale of depreciation, or certificates of liquidated debts of the United States, including interest, besides the expense of the survey and other charges thereon, which are hereby rated at thirty-six dollars the township, in specie or certificates as aforesaid, and so, in the same proportion, for a fractional part of a township or of a lot, to be paid at the time of sales; on failure of which payment the said lands shall again be offered for sale.

Board of Treasury to transmit a copy of original plats to the commissioners of loans, who are to sell townships, &c.

Price not less than \$1 per acre.

\$36 the township, &c.

Lots Nos. 8, 11, 26, 29, reserved.

No. 16 for schools.

Mines, &c.

Loan officer to deliver deeds, &c.

There shall be reserved for the United States, out of every township, the four lots, being numbered 8, 11, 26, 29, and out of every fractional part of a township so many lots of the same numbers as shall be found thereon, for future sale. There shall be reserved the lot No. 16, of every township, for the maintenance of public schools within the said township; also, one third part of all gold, silver, lead, and copper mines, to be sold, or otherwise disposed of, as Congress shall hereafter direct. (1)

When any township or fractional part of a township shall have been sold as aforesaid, and the money or certificates received therefor, the loan officer shall deliver a deed in the following terms:

The United States of America, to all to whom these presents shall come, greeting:

Form of the deed.

Know ye, that for the consideration of ——— dollars, we have granted, and hereby do grant and confirm, unto ———,

(1) Salt springs and lead mines are reserved by subsequent laws; but the reservation has been discontinued as it respects gold, silver, and copper mines.

[By the contracts with the Ohio Company and John Cleves Symmes, No. 29 was given for religious purposes; by the acts of 18th May, 1796, four central sections (including No. 16) were reserved, in lieu of the five sections here designated.—By subsequent acts the sale of all those reserved sections (sec. No. 16, for the use of schools, excepted) has been authorized.]

the township (or fractional part of the township, as the case may be) numbered —, in the range —, excepting therefrom, and reserving, one third part of all gold, silver, lead, and copper mines, within the same; and the lots Nos. 8, 11, 26, and 29, for future sale or disposition; and the lot No. 16, for the maintenance of public schools. To have to the said —, his heirs and assigns, forever; (or, if more than one purchaser, to the said —, their heirs and assigns, forever, as tenants in common.)

In witness whereof, A B, commissioner of the loan office in the State of —, hath, in conformity to the ordinance passed by the United States in Congress assembled, the twentieth day of May, in the year of our Lord 1785, hereunto set his hand and affixed his seal, this — day of —, in the year of our Lord —, and of the independence of the United States of America —.

And when any township or fractional part of a township shall be sold by lots as aforesaid, the commissioner of the loan office shall deliver a deed therefor in the following form:

The United States of America, to all to whom these presents shall come, greeting:

Know ye, that for the consideration of — dollars, we have granted, and hereby do grant and confirm, unto —, the lot (or lots, as the case may be) in the township (or fractional part of the township, as the case may be) numbered —, in the range —, excepting and reserving one third part of all gold, silver, lead, and copper mines, within the same, for future sale or disposition. To have to the said —, his heirs and assigns, forever; (or, if more than one purchaser, to the said —, their heirs and assigns, forever, as tenants in common.)

In witness whereof, A B, commissioner of the continental loan office in the State of —, hath, in conformity to the ordinance passed by the United States in Congress assembled, the twentieth day of May, in the year of our Lord 1785, hereunto set his hand and affixed his seal, this — day of —, in the year of our Lord —, and of the independence of the United States of America —.

Deeds to be recorded, &c.

Which deeds shall be recorded in proper books, by the commissioner of the loan office, and shall be certified to have been recorded, previous to their being delivered to the purchaser, and shall be good and valid to convey the lands in the same described.

Commissioners of loan offices to transmit account of sales, &c.

The commissioners of the loan offices, respectively, shall transmit to the Board of Treasury, every three months, an account of the townships, fractional parts of townships, and lots, committed to their charge; specifying therein the names of the persons to whom sold, and the sums of money or certificates received for the same; and shall cause all certificates

by them received to be struck through with a circular punch ; and they shall be duly charged in the books of the Treasury with the amount of the moneys or certificates, distinguishing the same, by them received as aforesaid.

If any township or fractional part of a township or lot remains unsold for eighteen months after the plat shall have been received by the commissioners of the loan office, the same shall be returned to the Board of Treasury, and shall be sold in such manner as Congress may hereafter direct.

Sale of remaining townships, &c.

And whereas Congress, by their resolutions of September 16th and 18th, in the year 1776, and the 12th of August, 1780, stipulated grants of land to certain officers and soldiers of the late continental army, and by the resolution of the 22d September, 1780, stipulated grants of land to certain officers in the hospital department of the late continental army ; for complying, therefore, with such engagements, be it ordained, that the Secretary of War, from the returns in his office, or such other sufficient evidence as the nature of the case may admit, determine who are the objects of the above resolutions and engagements, and the quantity of land to which such persons or their representatives are, respectively, entitled, and cause the townships or fractional parts of townships, hereinbefore reserved for the use of the late continental army, to be drawn for in such manner as he shall deem expedient, to answer the purpose of an impartial distribution. He shall, from time to time, transmit certificates to the commissioners of the loan offices of the different States, to the lines of which the military claimants have respectively belonged, specifying the name and rank of the party, the terms of his engagement and time of his service, and the division, brigade, regiment, or company, to which he belonged, the quantity of land he is entitled to, and the township or fractional part of a township and range out of which his portion is to be taken.

Army bounty lands, &c.

To be drawn for, &c.

Secretary of War to transmit certificates, &c.

The commissioners of the loan offices shall execute deeds for such undivided proportions, in manner and form hereinbefore mentioned, varying only in such a degree as to make the same conformable to the certificate from the Secretary of War.

Regulations with respect to army bounty lands.

Where any military claimants of bounty in lands shall not have belonged to the line of any particular State, similar certificates shall be sent to the Board of Treasury, who shall execute deeds to the parties for the same.

The Secretary of War, from the proper returns, shall transmit to the Board of Treasury a certificate, specifying the name and rank of the several claimants of the hospital department of the late continental army, together with the quantity of land each claimant is entitled to, and the township or fractional part of a township and range out of which his portion is to be taken ; and thereupon the Board of Treasury shall proceed to execute deeds to such claimants.

The Board of Treasury and the commissioners of the

loan offices in the States shall, within eighteen months, return receipts to the Secretary of War, for all deeds which have been delivered, as also all the original deeds which remain in their hands for want of applicants, having been first recorded; which deeds, so returned, shall be preserved in the office until the parties or their representatives require the same.

Reservation of three townships for refugees, &c.

And be it further ordained, That three townships adjacent to Lake Erie be reserved, to be hereafter disposed of by Congress, for the use of the officers, men, and others, refugees from Canada, and the refugees from Nova Scotia, who are or may be entitled to grants of land under resolutions of Congress now existing, or which may hereafter be made respecting them, and for such other purposes as Congress may hereafter direct.

Reservation for the use of Christian Indians, &c.

And be it further ordained, That the towns of Gnadenhutten, Schoenbrun, and Salem, on the Muskingum, and so much of the lands adjoining to the said towns, with the buildings and improvements thereon, shall be reserved for the sole use of the Christian Indians who were formerly settled there, or the remains of that society, as may, in the judgment of the geographer, be sufficient for them to cultivate.

Saving of the rights of officers and soldiers entitled to lands on the northwest side of the Ohio.

Saving and reserving always, to all officers and soldiers entitled to lands on the northwest side of the Ohio, by donation or bounty from the Commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled, under the deed of cession executed by the delegates for the State of Virginia, on the 1st day of March, 1784, and the act of Congress accepting the same. And to the end that the said rights may be fully and effectually secured, according to the true intent and meaning of the said deed of cession and act aforesaid, be it ordained, that no part of the land included between the rivers called Little Miami and Scioto, on the northwest side of the river Ohio, be sold, or in any manner alienated, until there shall first have been laid off and appropriated for the said officers and soldiers, and persons claiming under them, the lands they are entitled to, agreeably to the said deed of cession and act of Congress accepting the same.*

* See the act of August 10, 1790, chapter 33.

Done by the United States in Congress assembled, the twentieth day of May, in the year of our Lord one thousand seven hundred and eighty-five, and of our sovereignty and independence the ninth.

RICHARD H. LEE, *President*.

CHARLES THOMSON, *Secretary*.

[See Part II, Nos. 13, 35, 43, 134, 136, 137, 153, 154.]

In Congress,
1785, June 15.

CHAP. 15.—*Resolved*, That they (the commissioners) prohibit the settlement of all persons, not properly authorized

for that purpose, upon the unappropriated lands of the United States, and that they cause to be circulated in the said country the following proclamation :

Whereas it hath been represented to the United States in Congress assembled, that several disorderly persons have crossed the river Ohio and settled upon their unappropriated lands ; and, whereas it is their intention, as soon as it shall be surveyed, to open offices for the sale of a considerable part thereof, in such proportions and under such other regulations as may suit the convenience of all the citizens of the said States and others who may wish to become purchasers of the same ; and as such conduct tends to defeat the object which they have in view, is in direct opposition to the ordinances and resolutions of Congress, and highly disrespectful to the federal authority, they have, therefore, thought fit, and do hereby issue this their proclamation, strictly forbidding all such unwarrantable intrusions, and enjoining all those who have settled thereon to depart with their families and effects, without loss of time, as they shall answer the same at their peril.

Squatters warned.
See post, No. 19.

Unauthorized settlements on public lands prohibited.

[See Part II, Nos. 1, 16.]

CHAP. 16.—*Resolved*, That the geographer of the United States, and the surveyors appointed, pursuant to the ordinance of Congress passed May, 20, 1785,* for ascertaining the mode of disposing of lands in the Western territory, and who have accepted their appointments, proceed in the execution of the said ordinance: *Provided*, That they do not proceed further northerly than the east and west line mentioned in the said ordinance.

In Congress,
1786, May 9.

*Ante, chapter 14.

CHAP. 17.—Whereas the ordinance for ascertaining the mode of disposing of lands in the Western territory † directs "That the geographer and surveyor shall pay the utmost attention to the variation of the magnetic needle, and shall run and note all lines by the true meridian, certifying, with every plat, what was the variation at the times of running the lines thereon noted," which direction will greatly delay the survey of the said territory :

In Congress,
1786, May 12.

†See ante, ch. 14.

Resolved, That the above-recited clause in the said ordinance be, and the same hereby is, repealed.

CHAP. 18.—*Resolved*, That after the Secretary at War shall have drawn for the proportionate quantity of the lands already surveyed, which were assigned to the late army, agreeably to the ordinance of the 20th of May, 1785, the

In Congress,
1787, April 21.

Sales ordered.

remainder shall be advertised for sale in one of the newspapers, at least, of each of the States; and at the expiration of five months from this day, the sale of the land shall commence in the place where Congress shall sit, and continue from day to day until the same shall be disposed of; provided that none of the land shall be sold at a less price than one dollar per acre, and that the sale shall be made agreeably to the mode pointed out by the ordinance aforesaid.

Terms prescribed.

Resolved, That one third of the purchase-money shall be immediately paid, in any of the public securities of the United States, to the Treasurer of the said States, and that the remaining two thirds shall be paid in like manner in three months after the date of the sale; on which payment, (a certificate thereof being previously furnished by the Treasurer to the Board of Treasury,) titles to the lands shall be given to the purchasers by the Board of Treasury, agreeably to the terms prescribed by the said ordinance: *Provided*, That if the second payment shall not be made in three months, as aforesaid, the first payment shall be forfeited, and the lands shall again be exposed to sale.

In Congress,
1787, April 24.
Unauthorized sections removed.

CHAP. 19.—*Resolved*, That the Secretary at War direct the commanding officer of the troops of the United States on the Ohio to take immediate and efficient measures for dispossessing a body of men who have, in a lawless and unauthorized manner, taken possession of Post St. Vincent's, in defiance of the proclamation and authority of the United States; and that he employ the whole, or such part of the force under his command as he shall judge necessary to effect the object.*

*See ante, chapters 11 and 15.

[See Part II, Nos. 1, 16.]

In Congress,
1787, July 13.

CHAP. 20.—According to order, the ordinance for the government of the territory of the United States northwest of the river Ohio was read a third time and passed, as follows:

An ordinance for the government of the territory of the United States northwest of the river Ohio.

Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Rules of inheritance, &c.

Be it ordained by the authority aforesaid, That the estates both of resident and nonresident proprietors in the said territory, dying intestate, shall descend to, and be distributed among, their children and the descendants of a deceased child, in equal parts; the descendants of a deceased

child or grandchild to take the share of their deceased parent in equal parts among them ; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree ; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share ; and there shall, in no case, be a distinction between kindred of the whole and half blood, saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate ; and this law relative to descents and dower shall remain in full force until altered by the Legislature of the district. And until the Governor and judges shall adopt laws, as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be, (being of full age,) and attested by three witnesses ; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered, by the person (being of full age) in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers, shall be appointed for that purpose ; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskias, St. Vincent's, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed from time to time, by Congress, a Governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress ; he shall reside in the district, and have a freehold estate therein in one thousand acres of land, while in the exercise of his office.

There shall be appointed from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked ; he shall reside in the district, and have a freehold estate therein in five hundred acres of land, while in the exercise of his office ; it shall be his duty to keep and preserve the acts and laws passed by the Legislature, and the public records of the district, and the proceedings of the Governor in his executive department ; and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land,

Rules of inheritance, &c.

Governor.

Secretary.

while in the exercise of their offices; and their commissions shall continue in force during good behaviour.

Adoption and publication of laws.

The Governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time; which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards, the Legislature shall have authority to alter them as they shall think fit.

Officers of militia.

The Governor for the time being shall be commander-in-chief of the militia, appoint and commission all officers in the same, below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Appointment of magistrates, &c.

Previous to the organization of the General Assembly, the Governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the General Assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said Assembly; but all magistrates and other civil officers not herein otherwise directed shall, during the continuance of this temporary government, be appointed by the Governor.

Civil divisions of the district.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the Governor shall make proper divisions thereof; and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished into counties and townships, subject, however, to such alterations as may thereafter be made by the Legislature.

Right of representation, General Assembly, &c.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the Governor, they shall receive authority, with time and place, to elect representatives from their counties or townships to represent them in the General Assembly; provided, that for every five hundred free male inhabitants there shall be one representative; and so on, progressively with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which, the number and proportion of representatives shall be regulated by the Legislature; provided that no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; provided, also, that a freehold in fifty acres of

land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected shall serve for the term of two years; and in case of the death of a representative, or removal from office, the Governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

The General Assembly, or Legislature, shall consist of the Governor, Legislative Council, and a House of Representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum; and the members of the Council shall be nominated and appointed in the following manner, to wit:

Constitution of the legislative power, &c.

As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together, and when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress, five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the Council, by death or removal from office, the House of Representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of Council, the said House shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the Council five years, unless sooner removed. And the Governor, Legislative Council, and House of Representatives, shall have authority to make laws, in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the House, and by a majority in the Council, shall be referred to the Governor for his assent; but no bill or legislative act whatever shall be of any force without his assent. The Governor shall have power to convene, prorogue, and dissolve, the General Assembly, when in his opinion it shall be expedient.

The Governor, judges, Legislative Council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the Governor before the President of Congress, and all other officers before the Governor. As soon as a Legislature shall be formed in the district, the Council and House, assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in

Oath of fidelity and of office to be taken.

Delegate to Congress.

Congress, with the right of debating, but not of voting, during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws, and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide, also, for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact, between the original States and the people and States in the said territory, and forever remain unalterable, unless by common consent, to wit:

Articles of compact,
&c.

ARTICLE 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

ART. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the Legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land; and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect, private contracts or engagements, bona fide, and without fraud, previously formed.

ART. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 4. The said territory, and the States which may be

formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the articles of confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts, contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the Legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The Legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bonafide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty, therefor. (1)

ART. 5. There shall be formed in the said territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: the western State in the said territory shall be bounded by the Mississippi, the Ohio, and Wabash rivers; a direct line drawn from the Wabash and Post Vincent's, due north, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle States shall be bounded by the said direct line, the Wabash, from Post Vincent's to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east

Articles of com-
pact, &c.

Articles of com-
pact, &c.

and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State Government: provided the constitution and Government, so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

ART. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: provided, always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby, repealed and declared null and void.

[See Part II, Nos. 35, 43, 134, 136, 137.]

In Congress,
1787, July 23.

CHAP. 21.—Powers to the Board of Treasury to contract for the sale of Western territory.

The report of a committee, consisting of Mr. Carrington, Mr. King, Mr. Dane, Mr. Madison, and Mr. Benson, amended to read as follows, viz:

Board of Treasury
authorized to con-
tract for a grant of
a tract of land.

Boundaries of the
tract.

The tract to be
surveyed, &c.

The purchasers to
lay off the tract in-
to townships, at
their own expense,
&c.

That the Board of Treasury be authorized and empowered to contract with any person or persons for a grant of a tract of land—which shall be bounded by the Ohio, from the mouth of Scioto to the intersection of the western boundary of the seventh range of townships now surveying; thence, by the said boundary, to the northern boundary of the tenth township from the Ohio; thence, by a due west line, to Scioto; thence, by the Scioto, to the beginning—upon the following terms, viz: The tract to be surveyed, and its contents ascertained, by the geographer or some other officer of the United States, who shall plainly mark the said east and west line, and shall render one complete plat to the Board of Treasury, and another to the purchaser or purchasers. The purchaser or purchasers, within seven years from the completion of this work, to lay off the whole tract, at their own expense, into townships and fractional parts of townships, and to divide the same into lots, according to the land ordinance of the

20th of May, 1785; (1) complete returns whereof to be made to the Treasury Board. The lot No. 16, in each township or fractional part of a township, to be given perpetually for the purposes contained in the said ordinance. The lot No. 29, in each township or fractional part of a township, to be given perpetually for the purposes of religion. (2) The lots Nos. 8, 11, and 26, in each township or fractional part of a township, to be reserved for the future disposition of Congress. Not more than two complete townships to be given perpetually for the purposes of an university, to be laid off by the purchaser or purchasers, as near the centre as may be, so that the same shall be of good land, to be applied to the intended object by the Legislature of the State. The price to be not less than one dollar per acre for the contents of the said tract, excepting the reservations and gifts aforesaid, payable in specie, loan office certificates reduced to specie value, or certificates of liquidated debts of the United States, liable to a reduction by an allowance for bad land, and all incidental charges and circumstances whatever; provided that such allowance shall not exceed, in the whole, one third of a dollar per acre. And, in making payment, the principal only of the said certificates shall be admitted; and the Board of Treasury, for such interest as may be due on the certificates rendered in payment as aforesaid, prior to January 1, 1786, shall issue indents for interest to the possessors, which shall be receivable in payment as other indents for interest of the existing requisitions of Congress; and for such interest as may be due on the said certificates between that period and the period of payment, the said board shall issue indents, the payment of which to be provided for in future requisitions, or otherwise. Such of the purchasers as may possess rights for bounties of land to the late army, to be permitted to render the same in discharge of the contract, acre for acre; provided that the aggregate of such rights shall not exceed one seventh part of the land to be paid for; and provided, also, that there shall be no future claim against the United States on account of the said rights. Not less than 500,000 dollars of the purchase-money to be paid down upon closing of the contract, and the remainder upon the completion of the work, to be performed by the geographer or other officer on the part of the United States. Good and sufficient security to be given by the purchaser or purchasers for the completion of the contract on his or their part. The grant to be made upon the full payment of the consideration-money, and a right of entry and occupancy to be acquired immediately for so much of the tract as shall be agreed upon between the Board of Treasury and the purchasers.

Lot No. 16 to be given for schools.

Lot No. 29 to be given for religious purposes; and lots Nos. 8, 11, and 26, reserved for future disposition.

Two townships for university.

Price of the land, and in what payable, &c.

Principal of certificates only admitted in payment, &c.

Rights for military bounties, in discharge, may be rendered acre for acre, provided, &c.

\$500,000 to be paid down, &c.

Security, &c.

Ordered, That the above be referred to the Board of Treasury, to take order.

[See Part II, No. 13.]

(1) See the ordinance, ante, chapter 14, page 11.

(2) This grant of No. 29, for religious purposes, is confined to the Ohio Company's purchase, and to John Cleave Symmes's patent.

In Congress,
1787, July 26.
Ohio Company.

CHAP. 22.—Sale to the Ohio Company.

NEW YORK, *July 26, 1787:*

GENTLEMEN : We observe, by the act of the 23d instant, that your honorable board is authorized to enter into a contract for the sale of a tract of land therein described, on certain conditions expressed in the act. As we suppose this measure has been adopted in consequence of proposals made by us, in behalf of ourselves and associates, to a committee of Congress, we beg leave to inform you that we are ready to enter into a contract for the purchase of the lands described in the act, provided you can conceive yourselves authorized to admit of the following conditions, which in some degree vary from the report of the committee, viz :

The subordinate surveys shall be completed as mentioned in the act, unless the frequency of Indian irruptions may render the same impracticable without a heavy expense to the company.

The mode of payment we propose is, half a million of dollars when the contract is executed ; another half a million when the tract as described is surveyed by the proper officer of the United States ; and the remainder in six equal payments, computed from the date of the second payment.

The lands assigned for the establishment of an university to be nearly as possible in the centre of the first million and a half of acres we shall pay for ; for, to fix it in the centre of the proposed purchase, might too long defer the establishment.

When the second payment is made, the purchasers shall receive a deed for as great a quantity of land as a million of dollars will pay for, at the price agreed on ; after which, we will agree not to receive any further deeds for any of the lands purchased, only at such periods and on such conditions as may be agreed on betwixt the board and the purchasers.

As to the security, which the act says shall be good and sufficient, we are unable to determine what those terms may mean in the contemplation of Congress, or of your honorable board ; we shall therefore only observe that our private fortunes and that of most of our associates being embarked in the support of the purchase, it is not possible for us to offer any adequate security but that of the land itself, as is usual in great land purchases.

We will agree so to regulate the contracts that we shall never be entitled to a right of entry or occupancy, but on the lands actually paid for, nor receive any deeds till our payments amount to a million of dollars, and then only in proportion to such payment. The advance we shall always be under without any formal deed, together with the improvements made on the lands, will, we presume, be ample security, even if it was not the interest, as well as the disposition, of the company, to lay the foundation of their establishment on a sacred regard to the rights of property.

If these terms are admitted, we shall be ready to conclude Ohio Company. the contract.

We have the honor to be, with the greatest respect, for ourselves and associates, gentlemen, your obedient humble servants,

MANH. CUTLER.
WINTHROP SARGENT.

The honorable the BOARD OF TREASURY.

JULY 27, 1787.—*Ordered*, That the above letter from Manh. Cutler and Winthrop Sargent to the Board of Treasury, containing proposals for the purchase of a tract of land described in the act of Congress of the 23d instant, be referred to the Board of Treasury, to take order; provided that, after the date of the second payment therein proposed to be made, the residue shall be paid in six equal and half-yearly instalments, until the whole thereof shall be completed, and that the purchasers stipulate to pay interest on the sums due, from the completion of the survey to be performed by the geographer. (1)

CHAP. 23.—A motion being made in the words following: “Whereas the United States in Congress assembled have, by their ordinance passed the 20th of May, 1785, among other things, ordained* that the towns of Gnadenhutzen, Schoenbrun, and Salem, on the Muskingum, and so much of the lands adjoining to the said towns, with the buildings and improvements thereon, shall be reserved for the sole use of the Christian Indians who were formerly settled there, or the remains of that society, as may, in the judgment of the geographer, be sufficient for them to cultivate :

“*Resolved*, That the Board of Treasury except and reserve, out of any contract that they may make for the tract described in the report of the committee which on the 23d instant was referred to the said board, to take order, a quantity of land around and adjoining each of the before-mentioned towns, amounting, in the whole, to ten thousand acres; and that the property of the said reserved land be vested in the Moravian Brethren at Bethlehem, in Pennsylvania, or a Society of the said Brethren for civilizing the Indians and promoting Christianity, in trust, and for the uses expressed as above in the said ordinance; including Killbuck and his descendants, and the nephew and descendants of the late Captain White Eyes, Delaware chiefs, who have distinguished themselves as friends to the cause of America.”

Ordered, That the above be also referred to the Board of Treasury, to take order.

(1) The boundaries contemplated by the letter and order above were altered and confirmed by act of 21st April, 1792. Post, chap. 36.

In Congress,
1787, July 27.

Grant to the Moravian Brethren.

*Ante, chapter 14.

In Congress,
1787, Sept. 24.

CHAP. 24.—*Resolved*, That Congress approve of the declaration made by the Board of Treasury at the time of selling the public lands, that the interest on the securities to be received in payment should not be computed, and direct them to proceed in the same manner in future sales, issuing certificates or indents of interest for the interest due on the certificates paid conformably to the authority given them for the sale of the lands between the seventh range of townships and the Sciota, on the 23d day of July last.

In Congress,
1787, October 22.

This resolution has
not been carried
into effect. See act
of 1st June, 1796,
chapter 43.

Reservation for
military bounties.

CHAP. 25.—*Resolved*, That a million of acres of land, to be bounded east by the seventh range of townships, south by the land contracted for by Cutler and Sargent, and to extend north as far as the ranges of townships, and westward so far as to include the above quantity; also, a tract to be bounded as follows: beginning at the mouth of the river Ohio; thence, up the Mississippi, to the river Au Vause; thence, up the same, until it meets a west line from the mouth of the Little Wabash; thence, easterly, with the said west line, to the Great Wabash; thence, down the same, to the Ohio; and thence, with the Ohio, to the place of beginning; be reserved and set apart for the purpose of satisfying the military bounties due to the late army; and that no locations, other than for the said bounties, be permitted within the said tract, until they shall be fully satisfied.

That the Secretary of War take measures for ascertaining the existing claims for such bounties, and that the geographer proceed to have the same surveyed, under the direction of the Secretary of War, agreeably to the terms upon which they have been promised.

In Congress,
1788, June 6.

CHAP. 26.—Relinquishment of a tract of land to Pennsylvania, &c.

On the report of a committee, consisting of Mr. Clark, Mr. Irvine, Mr. Armstrong, Mr. Wadsworth, and Mr. Brown, to whom was referred a motion of Mr. Irvine—

Resolved, That the geographer of the United States be, and he is hereby, directed to ascertain, by himself or by a deputy duly appointed for the purpose, the boundary line between the United States and the States of New York and Massachusetts, agreeably to the deeds of cession of the said States.

That the said geographer inform the Executives of the States of New York and Massachusetts of the time of running the said line, in order that they, or either of them, may, if they think proper, have persons attending at the time.

That the said geographer, or his deputy, having run the

Geographer to as-
certain boundary
line, &c.

meridian between Lake Erie and the State of Pennsylvania, and marked and noted down in his field book proper landmarks for perpetuating the same, shall proceed to make a survey of the land lying west of the said line, between Lake Erie and the State of Pennsylvania, so as to ascertain the quantity thereof, and make return of such survey to the Board of Treasury, who are hereby authorized and empowered, at any time before or after such survey, to sell the said tract in whole, at private sale, for a price not less than three fourths of a dollar per acre, in specie or public securities drawing interest.

Geographer to make survey of land lying west of a certain line, &c.

On a report of a committee, consisting of Mr. Dane, Mr. Sedgwick, and Mr. Madison, to whom was referred a motion of the delegates of Pennsylvania—

In Congress,
1793, Sept. 4.

Whereas it appears that the Board of Treasury, in conformity to the act of Congress of the 6th June last, have entered into a contract with the delegates of the State of Pennsylvania, in behalf of the said State, for the tract of land bounded east, agreeably to the cession of Western territory by the States of Massachusetts and New York, south by Pennsylvania, north and west by Lake Erie; and whereas the said tract is entirely separated from the other lands of the Western territory, over which the jurisdiction of the United States extends; and whereas, under these circumstances, it will be expedient for the State of Pennsylvania to hold and exercise jurisdiction over the tract aforesaid; therefore,

Resolved, That the United States do hereby relinquish and transfer all their right, title, and claim, to the government and jurisdiction of the said tract of land, to the State of Pennsylvania forever. And it is hereby declared and made known that the laws and public acts of the said State shall extend over every part of the same tract, to all intents and purposes as if the same had been originally within the charter bounds of the said State; provided that the inhabitants of the said tract shall be maintained in all the rights and privileges which other citizens of the said State of Pennsylvania are now, or may hereafter be, constitutionally entitled to enjoy. (1)

Relinquishment of
Pennsylvania.

CHAP. 27.—Provisions respecting claims and donations in the Territories of Indiana, Illinois, and Michigan.

In Congress,
1793, June 20.

The committee, consisting of Mr. Williamson, Mr. Dane, Mr. Carrington, Mr. Kearney, and Mr. Wingate, to whom was referred a memorial of George Morgan and his associates, respecting a tract of land in the Illinois country, on

Report on the memorial of George Morgan, &c., respecting a tract of land on the Mississippi.

(1) See, in fulfillment of this resolution, the act of the 3d January, 1792, post, chap. 35.

the Mississippi, having reported thereon, and their report being amended to read as follows :

“ That there are sundry French settlements on the river Mississippi, within the tract which Mr. Morgan and his associates propose to purchase. Near the mouth of the river Kaskaskies there is a village which appears to have contained near eighty families from the beginning of the late revolution. There are twelve families in a small village at la Prairie du Rochers, and near fifty families at the Kahokia village. There are also four or five families at Fort Chartres and St. Philip's, which is five miles farther up the river. The heads of families in those villages appear, each of them, to have had a certain quantity of arable land allotted to them, and a proportionate quantity of meadow and of woodland or pasture. Your committee are of opinion, that from any general sale which may be made of the lands on the Mississippi, there should, at least, be a reserve of so much land as may satisfy all the just claims of the ancient settlers on that river, and that they should be confirmed in the possession of such lands as they may have had at the beginning of the late revolution, which may have been allotted to them according to the laws or usages of the Governments under which they have respectively settled. And whereas an additional quantity of land may be necessary for the support of those people whenever the settlement shall increase, and the Indian trade, by which they have chiefly subsisted, shall become less profitable, your committee are of the opinion that such allowance should also be made to them within the reserved limits. Your committee observe that, in the contract which is already made for the sale of a tract of land in the Western country, the purchasers are to be charged with surveying three lots which are reserved for the benefit of the United States. They conceive that future contractors may be relieved from this expense, but they would propose that every agreement hereafter to be made shall be equally binding on the contracting parties; whereupon they submit the following resolves :

Recommendation
of a reserve to sat-
isfy ancient set-
tlers, &c.

The Board of
Treasury author-
ized to contract,
&c.

“ That the Board of Treasury be authorized to contract with any person or persons for a grant of a tract of land, which shall be bounded as follows: beginning on the river Au Vase, in the parallel of latitude of the mouth of Little Wabash river; thence, running due north, to the parallel of latitude which passes through the mouth of Wood river; thence, west, to the Mississippi at the mouth of Wood river; thence, down the river Mississippi, to the mouth of the river Au Vase; thence, up the said river, to the place of beginning, under the exceptions and reservations hereinafter mentioned.

Conditions of sale.

“ That the purchaser or purchasers shall oblige themselves to lay off the tract, at their own expense, into townships or fractional parts of townships, and to divide the same into

lots, according to the land ordinance of the 20th May, 1785, (1) complete returns of which are to be made to the Board of Treasury. The lot No. 16 in each township or fractional part of a township, to be given perpetually for the purposes contained in the said ordinance; and the lot No. 29 in each township or fractional part of a township, to be given perpetually for the purposes of religion; and that each of the several townships shall be thus laid off before the original purchaser or purchasers shall have disposed of the same, or made any settlement therein. The price to be not less than two thirds of a dollar per acre for the contents of the said tract, except the reservations and gifts herein mentioned, payable in specie, loan office certificates reduced to specie value, or certificates of liquidated debts of the United States; the principal only of the said certificates to be received in payment; and the Board of Treasury, for such interest as may be due on the certificates rendered in payment as aforesaid, prior to the 1st day of January, 1787, shall issue indents for interest to the possessors, which shall be receivable in payment as other indents for interest of the existing requisitions of Congress; and for such interest as may be due on the said certificates between that period and the time of payment, the board shall issue indents, the payment of which to be provided for hereafter. That part of the purchase-money, not less than one hundred and fifty thousand dollars, shall be paid down upon the closing of the contract, and the remainder of the purchase-money whenever the Indian claim shall have been extinguished, and the boundary line of the tract run by the geographer of the United States, or his assistant, the contents of the land which is to be sold ascertained, and a plot of the same returned to the office of the Treasury Board; on which payment a grant shall be made, and the purchaser or purchasers shall have the right of entry and occupancy.

"That separate tracts shall be reserved for satisfying the claims of the ancient settlers, which shall be included within the following boundary, viz: a straight line to be extended from the mouth of the little river Marie, below the river Kaskaskies, to the old French fort, on the east side of the said river Kaskaskies, and opposite the Kaskaskie village; thence, north, three miles; thence, west, across the Kaskaskies river, to the ridge of rocks and high land which extend from the Kaskaskies to the Illinois rivers; then, along the west side or foot of the said ridge of rocks and high land, to the parallel that runs two miles north of the church at Kahokia; thence, west, to the river Mississippi; thence, down the said river, to the mouth of the river Marie.

Reservation of separate tracts to satisfy claims of ancient settlers, &c.

"That measures be immediately taken for confirming in their possessions and titles the French and Canadian inhabitants, and other settlers on those lands, who, on or before

Measures to be taken for confirming titles of French and Canadian settlers, &c.

(1) See the ordinance, ante, chap. 14, page 11.

the year 1783, had professed themselves citizens of the United States, or any of them, and for laying off the several tracts which they rightfully claim within the described limits ; and for laying off, for the benefit of the said inhabitants, three additional tracts adjoining the several villages Kaskaskies, la Prairie du Rochers, and Kahokia, in the form of a parallelogram, extending from the river Mississippi, eastward, to the ridge of rocks before described, and of such extent as shall contain four hundred acres for each of the families now living at either of the villages of Kaskaskies, la Prairie du Rochers, Kahokia, Fort Chartres, or St. Philip's. The additional reserved tract adjoining the village of Kaskaskies, shall be for the heads of families in that village ; the tract adjoining la Prairie du Rochers, for the heads of families in that village ; and the tract adjoining Kahokia, for the heads of families in that village, as also for those at Fort Chartres and St. Philip's. Such additional donations of four hundred acres each, to be distributed by lot, and immediate possession given : *Provided, nevertheless,* That no person thus obtaining possession of such donation lands shall have power to alienate the same, until he or she, or his or her heirs, shall have resided at least three years from the time of such distribution within that district, at the end of which period every such resident shall obtain a title to the reserved lot ; and all lots not thus conveyed to residents shall revert to the United States.

Proviso as to alienation of the donation lands, &c.

After satisfying claims and donations, the remainder to appertain to the general purchase.

“ That whenever the French and Canadian inhabitants, and other settlers aforesaid, shall have been confirmed in their possessions and titles, and the amount of the same ascertained, and the three additional parallelograms for future donations, and a tract of land one mile square, on the Mississippi, extending as far above as below Fort Chartres, and including the said fort, the buildings and improvements adjoining the same, shall be laid off, the whole remainder of the soil, within the reserved limits above described, shall be considered as appertaining to the general purchase, and shall be conveyed accordingly.

Indian claim to be extinguished.

“ That measures be immediately taken to extinguish the Indian claim, if any such exists, to the land bordering on the Mississippi, from the mouth of the Ohio to a determined station on the Mississippi, that shall be sixty or eighty miles north from the mouth of the Illinois river, and extending from the Mississippi as far eastward as may be.

Governor of the Western Territory to examine titles of settlers, &c.

“ That the Governor of the Western Territory be instructed to repair to the French settlements on the Mississippi, at and above the Kaskaskies ; that he examine the titles and possessions of the settlers as above described, in order to determine what quantity of land they may severally claim, which shall be laid off for them at their own expense ; and that he take an account of the several heads of families living within the reserved limits, in order that he may determine the quantity of land that is to be laid off in the several parallel-

ograms, which shall be laid off accordingly by the geographer of the United States, or his assistant, at the expense of the United States.

“That the geographer of the United States be instructed to take the latitude of the mouth of the river Au Vase, and the mouth of Wood river, and of the northeast and southern angle of the tract ; and that, in executing all other large surveys, he take the latitude of three or four of the chief corners.”

The geographer to take certain latitudes.

Resolved, That Congress agree to the said report.

[See Part II, Nos. 13, 616, 617, 654.]

CHAP. 28.—A supplement to an ordinance entitled “An ordinance for ascertaining the mode of disposing of lands in the Western Territory.”

In Congress, 1785, July 9.

*Ante, chapter 14.

Whereas it is found to be inconvenient to execute that part of the land ordinance passed May 20, 1785, which directs that certain proportions of lands be allotted to the several States, to be sold by the loan officers in each State ; and whereas a sufficient quantity of lands for satisfying the bounties due to the late army was set apart by the act of Congress passed the 22d of October last, whereby further draughts for satisfying military bounties in lands from the townships lately surveyed are become unnecessary :

Be it ordained by the United States in Congress assembled, That so much of the said ordinance passed May 20, 1785, as ordains that certain parts of the townships therein directed to be surveyed shall be drawn for in the name of the thirteen States, respectively, according to the quotas in the last preceding requisitions, in all the States, in order that the same be sold by the said loan officers ; and, also, that the Secretary of War shall take by lot from the townships, when surveyed, certain proportions of land for the use of the late army, so far as the same may respect future draughts, be, and the same are hereby, repealed.

Part of the ordinance of May 20, 1785, repealed.

Be it further ordained, That the Board of Treasury be, and they hereby are, authorized and directed to sell those parts of the seven ranges of townships surveyed in the Western Territory, which are not already sold or drawn for the use of the late army, in the same manner, on the same conditions, and under the same restrictions and limitations, as were prescribed in the resolutions of Congress of April 21, 1787, except as to the place of sale, and the daily continuance thereof, which may be so far varied that the said board may commence the sales at New York or Philadelphia, and adjourn the same from time to time to any part or parts of the United States which they may judge most proper for the purpose.

Board of Treasury to sell parts of seven ranges, &c.

Be it further ordained, That the Secretary of War issue warrants for bounties of land to the several officers and sol-

Secretary of War to issue warrants for military bounties, &c.

See ante, chap. 5. diers of the late continental army who may be entitled to such bounties, or to their respective assigns or legal representatives, certifying therein the rank or station of each officer, and the line, regiment, corps, and company, in which the officer or soldier served.

Geographer to appoint surveyors to two tracts for satisfying military bounties, &c.

Be it further ordained, That the geographer, by warrant under his hand and seal, appoint one surveyor to each of the two tracts or districts of land set apart for satisfying the said bounties by the act of Congress of the 22d of October last; and that the persons entitled to lands by virtue of warrants issued as aforesaid shall be at liberty to locate them on any part of the two tracts of land set apart as aforesaid: *Provided*, That each location and survey shall be bounded on one side by one of the external boundaries of one of the tracts aforesaid, or by some prior survey therein; and the external lines of each survey shall run east and west, north and south, such parts thereof excepted as may border upon a river bounding the district, and the several surveys shall be in squares, unless where restrained by such river, or by the lines of former surveys: *And provided, also*, That in every location there shall be a combination of as many warrants as shall make the same at least six miles square, and no interstices shall be left between surveys less than six miles wide.

Duties of the surveyors, &c.

Be it further ordained, That each surveyor, upon making any survey, shall protract and lay the same down in a general map, to be kept and preserved, and shall make a record of each survey in a book to be kept for that purpose, and make out and deliver a copy of the survey, certified under his hand, to the proprietor or proprietors thereof; and the surveyor shall retain in his hands all warrants by him laid out and located, until he can transmit the same to the Board of Treasury, which he shall do within one year after laying out the land, certifying thereon, under his hand, that the same is satisfied. That the surveyors to be appointed as hereinbefore directed shall be entitled to receive, for the services enjoined them by this ordinance, so much only as shall be allowed and fixed by the Governor and judges of the Western Territory, and shall be liable to be displaced by the geographer for neglect of duty, or other misbehaviour; in which case he shall supply any vacancy so happening by a new appointment. That each surveyor who may be appointed under this ordinance, before he enters upon the duties of his office, shall take an oath or affirmation that *he will justly and truly execute the trust reposed in him as surveyor of a district of land in the Western Territory, according to the best of his skill and understanding, without favor or partiality*; which oath or affirmation shall be taken before the Governor or either of the judges of the Western Territory, or one of the justices of the Supreme Court in any of the United States, and, being duly attested, shall be transmitted to the Secretary of Congress, to be by him filed of record. That the maps and records before mentioned shall

Compensation to surveyors, &c.

Surveyors to take an oath, &c.

at all times be subject to the orders of Congress, to be removed or deposited wherever they shall direct. That if any officer or soldier, or assignee or grantee of either, shall desire to have their bounty of land allotted in the townships or fractional parts thereof lately drawn for the army, by the Secretary of War, out of the first four ranges of townships surveyed west of the Ohio, and shall cause such his desire, in writing, together with his land warrant, to be deposited in the office of the Secretary of War, before the 1st of July, 1789, the said Secretary shall cause so much of the said townships which have been drawn for the army to be drawn for by lot as will satisfy the warrants so deposited, for which surveys shall be made out and delivered to the several proprietors, signed by the geographer of the United States, which surveys shall be recorded in a book by the geographer, and lodged in the Treasury Office. And whereas lands are set apart for satisfying military bounties, not only in the said districts and townships, but also within the limits of purchases made by several companies :

Maps and records subject to the order of Congress, &c.

Parts of townships to be drawn for by lot, &c.

Be it further ordained, That the persons who have purchased tracts of the federal lands shall have credit for so much land as the warrants issued as aforesaid, and delivered by them to the Board of Treasury, cover : *Provided*, That in no case deductions on account of military bounties shall exceed one seventh part of the purchase.

Credit to purchasers for amount of land warrants delivered, &c.

Done, &c.

[See Part II, Nos. 13, 35, 43, 134, 136, 137.]

[NOTE.—The provisions of the preceding ordinance, respecting the location of military land warrants, have never been carried into effect. See act of June 1st, 1796, chap. 43.]

CHAP. 29.—Act of Congress concerning the location, &c. of Virginia military bounty land.*

In Congress, 1788, July 17.

*Repealed by act of 10th Aug. 1790, chapter 28.

Whereas Congress, on the 13th September, 1783, fixed the terms and conditions upon which they would accept a cession of claims to the Western territory from the State of Virginia ; and whereas the said State, on the 20th of October in the same year, agreed to the same terms and conditions, and by her act authorized her delegates in Congress to convey, transfer, and assign, to the United States, the right, title, and claim, of the said State to the lands within her charter, and northwest of the river Ohio, on the terms and conditions proposed by Congress ; and the said delegates made a conveyance accordingly on the same conditions ; among which conditions is the following, to wit : “ That in case the good lands on the southeast side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law to the Virginia troops upon continental establishment,

should, from the North Carolina line bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops in good lands, to be laid off between the river Scioto and Little Miami, on the northwest side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia." And whereas it has not, in any manner, been alleged or stated to Congress that there is any such deficiency of lands on the southeast side of the Ohio,

Surveys before deficiency, invalid.

Resolved, That the State of Virginia be informed that Congress consider all locations and surveys which shall be made, by or on account of the said troops, on the said lands between the Scioto and Little Miami, before the said deficiency, if any, on the southeast side of the Ohio, shall be ascertained and stated to Congress, invalid.

Executive of Virginia requested to inform Congress of deficiency, &c.

Resolved, That the Executive of the State of Virginia be requested to inform Congress whether there has been any deficiency of good lands reserved by the laws of that State, on the southeast side of the Ohio, for the Virginia troops upon continental establishment; and if there has been any deficiency, what is the amount; and, also, what checks have been provided by the said State to prevent the said troops taking up more lands than are actually due to them; in order that measures may immediately be taken for laying off, for the benefit of such troops, a sufficient quantity of good land between the river Scioto and Little Miami, and that Congress may be prepared to dispose of the remaining land between those rivers for the general benefit of the Union.

[See Part II, Nos. 35, 43, 90, 134, 136, 137.]

In Congress,
1788, August 28.

CHAP. 30.—Contract with George Morgan.

On the report of a committee, consisting of Mr. William-son, Mr. Otis, and Mr. Baldwin, to whom was recommended a report on the memorial of George Morgan, and sundry other papers:

Variation authorized in the terms of contract with Geo. Morgan, &c.

Resolved, That the Board of Treasury be, and they hereby are, authorized, in contracting with George Morgan and his associates, or with any other person or persons, for the sale of a tract of land on the Mississippi, which is described in the act of June 20th last, to vary, in the following particulars, from the terms proposed in the said act, viz: a payment of 200,000 dollars shall be made on closing the contract, the remainder of the price to be paid in seven equal payments, the first of which shall be paid whenever the Indian title, if any such there is, shall be extinguished, and a survey of the tract returned to the Treasury Office. The other six payments to be made half-yearly, with interest from the time in which the survey is returned.

On making the first payment, entries shall be permitted on so much land as that sum is equal to, at the limited price. On making the second payment, a deed shall issue for so much land as may then be paid for; and other deeds, if required, shall issue on making the several payments: *Provided*, That it is previously stipulated on what part the first deed shall be laid, and that every subsequent deed shall be for a regular tract, as nearly as may be of an equal width, extending from the Mississippi to the eastern boundary of the general purchase, and that the several deeds be for tracts in contact with one another. That in case of failure in any one of the payments stipulated for, the contract shall be considered as forfeited, in all the parts thereof which shall then remain to be carried into effect.

That instead of the three parallelograms to be reserved according to the act of the 20th June last, for donations to the ancient settlers on the west side of a certain ridge of rocks, there shall be reserved an equal quantity of land, for the same use, to be laid out in three squares, on the east side of the said ridge of rocks, and as near as may be to the improvements belonging to the villages of Kaskaskies, la Prairie du Rochers, and Kahokia.

That in case there are any improvements belonging to the ancient French settlers without the general reserved limits, the same shall also be considered as reserved for them in the sale now proposed to be made. (1)

Donations to ancient settlers to be laid out on the east side of the ridge, &c.

Additional reserved improvements, &c.

CHAP. 31.—On the report of a committee, consisting of Mr. Williamson, Mr. Dane, Mr. Clark, Mr. Tucker, and Mr. Baldwin, to whom was referred the report of a former committee, respecting the inhabitants of Post St. Vincent's:

In Congress, 1793, August 29.]

Resolved, That measures be taken for confirming in their possessions and titles the French and Canadian inhabitants, and other settlers at Post St. Vincent's, who, on or before the year 1783 had settled there, and had professed themselves citizens of the United States, or any of them, and for laying off to them, at their own expense,* the several tracts which they rightfully claim, and which may have been allotted to them according to the laws and usages of the Government under which they have respectively settled.

Provision for the French and Canadian inhabitants, &c. at Post St. Vincent's, &c.

*Altered by act of February 21, 1793.

That four hundred acres of land be reserved and given to every head of a family, of the above description, settled at Post St. Vincent's.

That the Governor of the Western Territory cause to be laid out, at the public expense, in the form of a square, adjoining to the present improvements at Post St. Vincent's, and in whatever direction the settlers shall prefer, a tract of land sufficient for completing the above donations; which tract shall afterwards be divided by lot among the settlers

(1) The contemplated sale was never effected.

who are entitled to any part of the same, in such manner as they shall agree.

Instructions to the
Governor of the
Western Territory.

On a report of the same committee, the following instructions to the Governor of the Western Territory were agreed to:

SIR: You are to proceed without delay, except while you are necessarily detained by the treaty now on hands, to the French settlements on the river Mississippi, in order to give despatch to the several measures which are to be taken according to the acts of the 20th June last and the 28th instant, of which a copy is enclosed for your information. You are to inquire whether there be any Indians who claim the lands on the east side of the river Mississippi, above the mouth of the Ohio; and if there be any such Indians, you are immediately to take measures for holding a treaty with them, and extinguishing their claim, at least to so much of the territory as you find described in the aforesaid acts, and in the several acts of October 22, 1787, relative to lands on the Mississippi. If you find it cheapest and best to extinguish the claim of those Indians by agreeing to furnish them annually with a certain allowance in corn, or other provisions, for a term not exceeding ten years, you will contract accordingly.

When you have examined the titles and possessions of the settlers on the Mississippi, in which they are to be confirmed, and given directions for laying out the several squares, which the settlers may divide as they shall think best among themselves, by lot, you are to report the whole of your proceedings to Congress.

After you shall have despatched the several matters committed to your care on the Mississippi, you will take Post St. Vincent's on your return, where you are to pursue the measures directed to be taken by the act of this day, and report your proceedings accordingly.

In Congress,
1786, September 3.

CHAP. 32.—Donation to the Society of the United Brethren.

On a report of a committee, consisting of Mr. Clark, Mr. Williamson, and Mr. Madison, to whom was referred a memorial of John Etwein, of Bethlehem, president of the Brethren's Society for propagating the Gospel among the Heathen:

Reference to the
ordinance of May
20, 1785.

Whereas the United States in Congress assembled, by their ordinance of the 20th May, 1785, among other things, ordained that the towns of Gnadenhutten, Schoenbrun, and Salém, with lands adjoining to the said towns, be reserved for the sole use of the Christian Indians who were formerly settled there, or the remains of that society; and by an act of the 27th July, 1787, directed the Board of Treasury to except and reserve out of any contract they might make pursuant to an order of the 23d of the same month, a quantity of land around and adjoining to each of the before-mentioned towns, amounting in the whole to ten thousand acres, and

ordered the property of the said towns and reserved lands to be vested in the Moravian Brethren at Bethlehem, in Pennsylvania, or the Society of the said Brethren for civilizing the Indians and promoting Christianity, (or, as they are called, the Society of the United Brethren for propagating the Gospel among the Heathen,) in trust, and for the uses expressed in the said ordinance, including others, as mentioned in the said act of 27th July, 1787; and whereas it has been agreed that the plot of each of the towns should be estimated at 666 $\frac{2}{3}$ acres, so that each town and the reserved land adjoining shall make a tract of four thousand acres; and whereas the remnant of the said Christian Indians are desirous of returning to their towns as speedily as possible, and the United Brethren, to facilitate this without loss of time, have offered to advance the expenses of surveying the three tracts, on condition they be repaid, either in money or land:

Ordered, That the geographer of the United States survey, or cause to be surveyed, as speedily as possible, without interfering with the business he is sent to execute, the three tracts of Gnadenhutzen, Schoenbrun, and Salem, on the Muskingum, including the reserved land adjoining each of the said towns, and return plots thereof to the Board of Treasury, that deeds may be issued for the same as is mentioned above; and that he also survey, or cause to be surveyed, the intermediate spaces, if any there be, between the said three tracts, and return plots thereof, with an account of the expense, to the Board of Treasury; and that the said board, provided it can be done without infringing any contract they may have already made, convey the same to the said United Brethren, or the Society of the said Brethren for propagating the Gospel among the Heathen, upon their paying for the said intermediate space or spaces, when the said survey shall be returned by the geographer, at the rate at which such lands are granted to others, and also the expenses attending the surveying and plotting the said spaces, deducting the sum advanced for surveying the three tracts: *Provided*, That in case any of the above-mentioned lands shall fall within the supposed bounds of the million of acres reserved for the late army, that the said bounds shall be understood to extend so far to the westward as to include the million of acres, exclusive of the above-mentioned lands.

Geographer to survey the three tracts mentioned, &c.

Geographer to survey, &c.

CHAP. 33.—An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota.* (1)

*See amendatory act of June 9, 1794, chapter 39.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

(1) For other acts authorizing patents for lands, in pursuance of the Virginia military reservation, see the following: Chapters 39, 88, 89, 108, 141, 169, 216, 252, 283, 340, 388, 423, sec. 2, 461, 526.

Act of 17th July, 1783, repealed.

*See chapter 29.

Lands originally assigned, insufficient.

†See appendix No. 1.

Other lands assigned, &c.

Secretary of War to make return to the Executive of Virginia, of those entitled to bounty lands, &c.

A sufficient number of acres to be located between the Sciota and Little Miami.

Agents to enter in a book the bounds of each location, &c.

‡This section virtually repealed. See act 9th June, 1794. Chap. 39, post.

President to cause letters patent to be made out, &c.

sembled, That the act of Congress of the seventeenth of July, one thousand seven hundred and eighty-eight,* relative to certain locations and surveys made by, or on account of, the Virginia troops on continental establishment, upon lands between the Little Miami and Sciota rivers, northwest of the Ohio, be, and the same is hereby, repealed.

And whereas the agents for such of the troops of the State of Virginia, who served on the continental establishment in the army of the United States during the late war, have reported to the Executive of the said State that there is not a sufficiency of good land on the southeasterly side of the river Ohio, according to the act of cession† from the said State to the United States, and within the limits assigned by the laws of the said State, to satisfy the said troops for the bounty lands due to them, in conformity to the said laws: to the intent, therefore, that the difference between what has already been located for the said troops on the southeasterly side of the said river, and the aggregate of what is due to the whole of the said troops, may be located on the northwesterly side of the said river, and between the Sciota and Little Miami rivers, as stipulated by the said State:

SEC. 2. *Be it further enacted*, That the Secretary of the Department of War shall make return, to the Executive of the State of Virginia, of the names of such of the officers, non-commissioned officers, and privates, of the line of the said State, who served in the army of the United States on the continental establishment during the late war, and who, in conformity to the laws of the said State, are entitled to bounty lands; and shall, also, in such return, state the aggregate amount, in acres, due to the said line by the laws aforesaid.

SEC. 3. *And be it further enacted*, That it shall and may be lawful for the said agents to locate, to and for the use of the said troops, between the rivers Sciota and Little Miami, such a number of acres of good land as shall, together with the number already located between the said two rivers, and the number already located on the southeasterly side of the river Ohio, be equal to the aggregate amount so to be returned as aforesaid by the Secretary of the Department of War.

SEC. 4. *And be it further enacted*, That the said agents, as soon as may be after the locations, surveys, and allotments, are made and completed, shall enter in regular order, in a book to be by them provided for that purpose, the bounds of each location and survey between the said two rivers, annexing the name of the officer, non-commissioned officer, or private, originally entitled to each; which entries being certified by the said agents, or the majority of them, to be true entries, the book containing the same shall be filed in the office of the Secretary of State.‡

SEC. 5. *And be it further enacted*, That it shall be lawful for the President of the United States to cause letters patent

to be made out, in such words and form as he shall devise and direct, granting to such person, so originally entitled to bounty lands, to his use, and to the use of his heirs or assigns, or his or their legal representative or representatives, his, her, or their heirs or assigns, the lands designated in the said entries: *Provided, always,** That, before the seal of the United States shall be affixed to such letters patent, the Secretary of the Department of War shall have endorsed thereon, that the grantee therein named was originally entitled to such bounty lands, and that he has examined the bounds thereof, with the book of entries filed in the office of the Secretary of State, and finds the same truly inserted; and every such letters patent shall be countersigned by the Secretary of State, and a minute of the date thereof, and of the name of the grantee, shall be entered of record in his office, in a book to be specially provided for the purpose.

*See the proviso in the act of June 9, 1794, which varies the formalities required by this proviso. Chap. 39, post.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of State, as soon as may be after the letters patent shall be so completed and entered of record, to transmit the same to the Executive of the State of Virginia, to be by them delivered to each grantee;† or, in case of his death, or that the right of the grantees shall have been legally transferred before such delivery, then to his legal representative or representatives, or to one of them.

Secretary of State to transmit patents to the Executive of Virginia, &c.

†See the act of 9th June, 1794, which varies the formalities required by this section. Chap. 39, post.

SEC. 7. *And be it further enacted*, That no fees shall be charged for such letters patent and record, to the grantees, their heirs or assigns, or to his or their legal representative or representatives.

No fees for issuing patents.

Approved, August 10, 1790.

[See Part II, Nos. 2, 35, 37, 43, 107, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

CHAP. 34.—An act for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the Territory northwest of the Ohio, and for confirming them in their possessions.‡

‡See section 3, act of March 26, 1804, chapter 8; and act of March 3, 1807, chapter 91.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That four hundred acres of land be given to each of those persons who, in the year one thousand seven hundred and eighty-three, were heads of families at Vincennes or in the Illinois country, on the Mississippi, and who, since that time, have removed from one of the said places to the other. And the Governor of the Territory northwest of the Ohio is hereby directed to cause the same to be laid out for them, at their own expense,§ either at Vincennes or in the Illinois country, as they shall severally elect.

400 acres of land granted to each head of a family, in 1783.

To be laid out at their expense.

§See act of February 21, 1793, appendix No. 2.

SEC. 2. *And be it further enacted and declared*, That the heads of families at Vincennes or in the Illinois country, in the year one thousand seven hundred and eighty-

Heads of families in 1783 entitled, notwithstanding removal.

*See chapter 31.

Proviso as to occupation of the lands within five years.

Lands formerly possessed by Piankeshaws given to the actual possessors.

Confirmation of title to lands under certain grants, to those who have improved them, &c.

†See chapter 84, post.

Appropriation of commons for the inhabitants of Vincennes, Cohos, and Prairie du Pont.

100 acres of land to each militiaman of Aug. 1790, who has not obtained a donation.

three, who afterwards removed without the limits of the said Territory, are, notwithstanding, entitled to the donation of four hundred acres of land made by the resolve of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight; * and the Governor of the said Territory, upon application to him for that purpose, is hereby directed to cause the same to be laid out for such heads of families, or their heirs; and shall also cause to be laid off and confirmed to such persons the several tracts of land which they may have possessed, and which, before the year one thousand seven hundred and eighty-three, may have been allotted to them according to the laws and usages of the Government under which they had respectively settled: *Provided, nevertheless,* That if such persons, or their heirs, do not return and occupy the said lands within five years, such lands shall be considered as forfeited to the United States.

SEC. 3. *And be it further enacted,* That one hundred and fifty acres of land, heretofore in possession of the Piankeshaw Indians, and now under actual improvement, and constituting a part of the village of Vincennes, be given to the persons who are severally in possession of the said land.

SEC. 4. *And be it further enacted,* That where lands have been actually improved and cultivated, at Vincennes or in the Illinois country, under a supposed grant of the same, by any commandant or court claiming authority to make such grant, the Governor of the said Territory be, and he hereby is, empowered to confirm to the persons who made such improvements, their heirs or assigns, the lands supposed to have been granted as aforesaid, or such parts thereof as he, in his discretion, may judge reasonable, not exceeding to any one person four hundred acres.†

SEC. 5. *And be it further enacted,* That a tract of land, containing about five thousand four hundred acres, which, for many years, has been fenced and used by the inhabitants of Vincennes as a common, also a tract of land including the villages of Cohos and Prairie du Pont, and heretofore used by the inhabitants of the said village as a common, be, and the same are hereby, appropriated to the use of the inhabitants of Vincennes and of the said village, respectively, to be used by them as a common, until otherwise disposed of by law.

SEC. 6. *And be it further enacted,* That the Governor of the said Territory be authorized to make a grant of land, not exceeding one hundred acres, to each person who hath not obtained any donation of land from the United States, and who, on the first day of August, one thousand seven hundred and ninety, was enrolled in the militia at Vincennes or in the Illinois country, and has done militia duty; the said land to be laid out at the expense of the grantees, and in such form and place as the said Governor shall direct:

Provided, nevertheless, That no claim, founded upon purchase or otherwise, shall be admitted within a tract of land heretofore occupied by the Kaskaskia nation of Indians, and including their village, which is hereby appropriated to the use of the said Indians.*

Proviso as to a tract appropriated to the Kaskaskias.

*See chapter 27.

SEC. 7. *And be it further enacted,* That two lots of land, heretofore in the occupation of the priests at Cahokia, and situated near that village, be, and the same is hereby, granted in fee to P. Gibault; and that a tract of land at Kaskaskia, formerly occupied by the Jesuits, be laid off and confirmed to St. Jam Beouvais, who claims the same in virtue of a purchase thereof.

Grant of two lots to P. Gibault, and a tract to St. Jam Beouvais.

SEC. 8. *And be it further enacted,* That so much of the act of Congress of the twenty-eighth of August, one thousand seven hundred and eighty-eight,† as refers to the locations of certain tracts of land directed to be run out and reserved for donations to the ancient settlers in the Illinois country, be, and the same is hereby, repealed; and the Governor of the said Territory is directed to lay out the same, agreeably to the act of Congress of the twentieth of June, one thousand seven hundred and eighty-eight.

†Ante, chapter 30.

Donation lands to be laid out according to act of Congress of 20th June, 1793. See ante, chapter 27.

Approved, March 3, 1791.

[See Part II, Nos. 200, 616, 617, 654.]

CHAP. 35.—An act for carrying into effect a contract between the United States and the State of Pennsylvania.‡

‡Obsolete.

For duly conveying to the State of Pennsylvania a certain tract of land, the right to the government and jurisdiction whereof was relinquished to the said State by a resolution of Congress of the fourth day of September, in the year one thousand seven hundred and eighty-eight, and whereof the right of soil has been sold, by virtue of a previous resolution of Congress, of the sixth day of June, in the said year:

Conveyance of a tract of land to Pennsylvania, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be authorized, on fulfilment of the terms stipulated on the part of the State of Pennsylvania, to issue letters patent, in the name and under the seal of the United States, granting and conveying to the said State, forever, the said tract of land, as the same was ascertained by a survey made in pursuance of the resolution of Congress of the sixth day of June, one thousand seven hundred and eighty-eight.

Letters patent to issue on fulfilment of terms stipulated.

Approved, January 3, 1792.

*See further with respect to lands of John C. Symmes; act 5th May, 1792. Chapter 38, post.

CHAP. 36.—An act for ascertaining the bounds of a tract of land purchased by John Cleves Symmes.*

The President authorized to alter the contract made between the Board of Treasury and John C. Symmes, &c.

Not to interfere with Indian boundary, &c.

Reservat'ion of lands near Fort Washington, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he hereby is, authorized, at the request of John Cleves Symmes, or his agent or agents, to alter the contract made between the late Board of Treasury and the said John Cleves Symmes for the sale of a tract of land of one million of acres, in such manner that the said tract may extend from the mouth of the Great Miami to the mouth of the Little Miami, and be bounded by the river Ohio on the south, by the Great Miami on the west, by the Little Miami on the east, and by a parallel of latitude on the north, extending from the Great Miami to the Little Miami, so as to comprehend the proposed quantity of one million of acres: *Provided*, That the northern limits of the said tract shall not interfere with the boundary line established by the treaty of Fort Harmar, between the United States and the Indian nations: *And provided, also*, That the President reserve to the United States such lands at and near Fort Washington as he may think necessary for the accommodation of a garrison at that fort.

Approved, April 12, 1792.

[See Part II, No. 35.]

CHAP. 37.—An act authorizing the grant and conveyance of certain lands to the Ohio Company of associates.

A certain contract confirmed, so far, &c.

†See chapter 21.

Description of the tract of land, the contract concerning which is confirmed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a certain contract expressed in an indenture executed on the twenty-seventh day of October, in the year one thousand seven hundred and eighty-seven, between the then Board of Treasury† for the United States of America of the one part, and Manasseh Cutler and Winthrop Sargent, as agents for the directors of the Ohio Company of associates, of the other part, so far as the same respects the following-described tract of land—that is to say: “Beginning at a station where the western boundary line of the seventh range of townships, laid out by the authority of the United States in Congress assembled, intersects the river Ohio; thence extending along that river, southwesterly, to a place where the western boundary line of the fifteenth range of townships, when laid out agreeably to the land ordinance passed the twentieth day of May, one thousand seven hundred and eighty-five, would touch the said river; thence running northerly, on the said western bounds of the said fifteenth range of townships, till a line drawn due east to the western boundary line of the said seventh range of

townships will comprehend, with the other lines of this tract, seven hundred and fifty thousand acres of land, besides the several lots and parcels of land in the said contract reserved or appropriated to particular purposes; thence running east to the western boundary line of the said seventh range of townships; and thence along the said line to the place of beginning"—be, and the same is hereby, confirmed: And that the President of the United States be, and he hereby is, authorized and empowered to issue letters patent, in the name and under the seal of the United States, thereby granting and conveying to Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, and to their heirs and assigns, in fee simple, the said described tract of land, with the reservations in the said indenture expressed, in trust for the persons composing the said Ohio Company of associates, according to their several rights and interests, and for their heirs and assigns, as tenants in common.

SEC. 2. *And be it further enacted*, That the President be, and he hereby is, further authorized and empowered, by letters patent as aforesaid, to grant and convey to the said Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, and to their heirs and assigns, in trust for the uses above expressed, one other tract of two hundred and four-tenth thousand two hundred and eighty-five acres of land: *Provided*, That the said Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, or either of them, shall deliver to the Secretary of the Treasury, within six months, warrants which issued for army bounty rights sufficient for that purpose, according to the provision of a resolve of Congress of the twenty-third day of July, one thousand seven hundred and eighty-seven.*

The President to grant and convey one other tract to Rufus Putnam, &c.

SEC. 3. *And be it further enacted*, That the President be, and he hereby is, further authorized and empowered, by letters patent as aforesaid, to grant and convey to the said Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, and to their heirs and assigns, in fee simple, in trust for the uses above expressed, a farther quantity of one hundred thousand acres of land: *Provided always, nevertheless*, That the said grant of one hundred thousand acres shall be made on the express condition of becoming void, for such part thereof as the said company shall not have, within five years from the passing of this act, conveyed in fee simple, as a bounty, and free of expense, in tracts of one hundred acres, to each male person not less than eighteen years of age, being an actual settler at the time of such conveyance.

Proviso as to the delivery, by the grantees, of warrants issued for army bounty rights, &c.

*See chapter 21.

SEC. 4. *And be it further enacted*, That the said quantities of two hundred and fourteen thousand two hundred and eighty-five acres, and of one hundred thousand acres, shall be located within the limits of the tract of one million five hundred thousand acres of land, described in the indenture aforesaid, and adjoining to the tract of land described in the

The President to grant, &c. a farther tract of 100,000 acres, &c.

Proviso as to the grant's becoming void, in case the company do not make conveyance, &c. to actual settlers.

Location of the grants within the tract of 1,500,000 acres, &c.

first section of this act, and in such form as the President, in the letters patent, shall prescribe for that purpose.

Approved, April 21, 1792.

CHAP. 38.—An act authorizing the grant and conveyance of certain lands to John Cleves Symmes and his associates.*

*See ante, chap. 36.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is, authorized and empowered to issue letters patent, in the name and under the seal of the United States, thereby granting and conveying to John Cleves Symmes and his associates, and to their heirs and assigns, in fee simple, such number of acres of land as the payments already made by the said John Cleves Symmes, his agents or associates, under their contract of the fifteenth day of October, one thousand seven hundred and eighty-eight, will pay for, estimating the lands at two thirds of a dollar per acre, and making the reservations specified in the said contract.†

The President authorized to grant patents for the portions of land paid for, &c.

†Viz: sect. No. 16 for schools; sect. No. 29 for religious purposes; and sections Nos. 8, 11, and 26, for the future disposal of Congress. See chapter 21.

The President authorized to convey another tract, &c.

SEC. 2. *And be it further enacted,* That the President be, and he hereby is, further authorized and empowered, by letters patent as aforesaid, to grant and convey to the said John Cleves Symmes and his associates, and to their heirs and assigns, in fee simple, one other tract of one hundred and six thousand eight hundred and fifty-seven acres, with the reservations as aforesaid: *Provided,* That the said John Cleves Symmes, or his agents or associates, or any of them, shall deliver to the Secretary of the Treasury, within six months, warrant swchich issued for army bounty rights(1) sufficient for that purpose, according to the provision of the resolves of Congress of the twenty-third of July‡ and second of October, one thousand seven hundred and eighty-seven; but in case so many warrants should not be delivered, then the letters patent last aforesaid to be given for such number of acres as shall be in proportion to the warrants so delivered.

‡See chaps. 21, 22.

The President authorized to convey to John Cleves Symmes, &c. a township, in trust, for establishing an academy, &c.

SEC. 3. *And be it further enacted,* That the President be, and he is hereby, authorized and empowered, by letters patent as aforesaid, to grant and convey unto the said John Cleves Symmes and his associates, their heirs and assigns, in trust, for the purpose of establishing an academy and other public schools and seminaries of learning, one complete township, conformably to an order of Congress of the second of October, one thousand seven hundred and eighty-seven, made in consequence of the application of the said John Cleves Symmes for the purchase of the tract aforesaid.§

§See the act of 3d March, 1803, sects. 4 and 5, chapter 60, post.

(1) This tract (as well as that granted to the Ohio Company, and payable in military warrants) was paid for with a deduction of one third for bad lands, that is to say: the purchasers obtained one acre and a half of land for every acre in military warrants which they delivered; a privilege enjoyed by no other person entitled to military bounties.—*Note of the Editor of the Land Laws.*

SEC. 4. *And be it further enacted*, That the several quantities of land, to be granted and conveyed as aforesaid, shall be included and located within such limits and lines of boundary as the President may judge expedient, agreeably to an act passed the twelfth day of April, one thousand seven hundred and ninety-two, "for ascertaining the bounds of a tract of land purchased by John Cleves Symmes."* (1)

The lands granted, to be located, &c. according to act of 12th April, 1792.

Approved, May 5, 1792.

*See ante, chap. 36.

[See Part II, No. 35.]

CHAP. 39.—An act to amend the act entitled "An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota."†

†See original act, ante, chapter 33.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all and every officer and soldier of the Virginia line on continental establishment, his or their heirs or assigns, entitled to bounty lands on the northwest side of the river Ohio, between the Sciota and Little Miami rivers, by the laws of the State of Virginia, and included in the terms of cession of the said State to the United States,‡ shall, on producing the warrant, or a certified copy thereof, and a certificate, under the seal of the office where the said warrants are legally kept, that the same, or a part thereof, remains unsatisfied, and on producing the survey, agreeably to the laws of Virginia, for the tract or tracts to which he or they may be entitled, as aforesaid, to the Secretary of the Department of War,§ such officer and soldier, his or their heirs or assigns, shall be entitled to and receive a patent for the same from the President of the United States, any thing in any former law to the contrary notwithstanding: *Provided*, That no letters patent shall be issued for a greater quantity of land than shall appear to remain due on such warrant; and that, before the seal of the United States shall be affixed to such letters patent, the Secretary of the Department of War shall have endorsed thereon, that the grantee therein named, or the person under whom he claims, was originally entitled to such bounty lands; and every such letters patent shall be countersigned by the Secretary of State, and a minute of the date thereof, and the name of the grantee, shall be entered of record in his office, in a book to be specially provided for that purpose.||

Officers and soldiers of the Virginia line on continental establishment entitled, &c. on producing warrant and survey, to receive a patent, &c.

‡See appendix No. 1.

§Altered. See act of 25th April, 1812, chapter 136.

Proviso: no patent for a greater quantity of land than is due, &c.

Secretary of War to endorse patents, &c.

Secretary of State to countersign, &c.

||Altered. See act of 25th April, 1812, chapter 136.

Approved, June 9, 1794.

[See Part II, Nos. 2, 35, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

(1) The patent granted by virtue of this act contains 311,682 acres, of which 248,540 are the property of the grantees, and the residue consists of the various reservations and grants for public purposes specified in the act.—*Note of the Editor of the Land Laws.*

CHAP. 40.—An act to authorize a grant of lands to the French inhabitants of Galliopolis, and for other purposes therein mentioned.*

*See act of June 25, 1798, chap. 47.

The President to cause 24,000 acres of land to be surveyed, as described.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall be, and he is hereby, authorized and empowered to cause to be surveyed, in the Territory northwest of the Ohio, a tract of land situate on the northerly bank of the river Ohio, beginning one mile and a half, on a straight line, above the mouth of Little Sandy; thence down the said river Ohio, along the courses thereof, eight miles, when reduced to a straight line; thence, at right angles, from each extremity of the said line, so as to include the quantity of twenty-four thousand acres of land, to be disposed as hereinafter directed.

The French inhabitants, &c. of Galliopolis to be ascertained, males above 18, and widows, &c.

SEC. 2. *And be it further enacted,* That the President be authorized to cause to be ascertained the number of French inhabitants and actual settlers of the town or settlement of Galliopolis, being males above eighteen years of age, or widows, who are or shall be within the said town or settlement of Galliopolis on the first day of November next.

The President to issue letters patent to John Gabriel Gervais for 4,000 acres, &c., with condition, &c.

SEC. 3. *And be it further enacted,* That the President of the United States shall be, and he is hereby, authorized and empowered to issue letters patent, in the name and under the seal of the United States, thereby granting to John Gabriel Gervais, and his heirs, four thousand acres of land, part of the said twenty-four thousand acres, to be located on the northwest bank of the river Ohio, opposite to the mouth of the Little Sandy, with condition, in the said letters patent, that if the said John Gabriel Gervais, or his heirs, shall not, personally, within three years from the date of the same patent, settle on the same tract of land, and there continue settled for three years next thereafter, the same letters patent shall be void and determine, and the title thereof revert in the United States, as if this law had not passed.

The remaining 20,000 acres to be laid off into lots, &c., to be assigned to the settlers at Galliopolis, &c.

SEC. 4. *And be it further enacted,* That the President of the United States shall be, and he is hereby, authorized and empowered to cause to be surveyed, laid off, and divided, the remaining twenty thousand acres of land, residue of the twenty-four thousand acres, into as many lots or parts as the actual settlers of Galliopolis shall, on the ascertainment aforesaid, amount to, and the same to be designated, marked, and numbered, on a plat thereof, to be returned to the secretary of the said Territory, together with a certificate of the courses of the said lots; the said lots, or parts of the aforesaid tract, to be assigned to the settlers aforesaid by lot. And the President of the United States is hereby authorized and empowered to issue letters patent, as aforesaid, to the said actual settlers, and their heirs, for the said twenty thousand acres, to be held by them in severalty, in lots, to be designated and described by their numbers on the plat aforesaid, with condition, in the same letters patent, that if one or more of the said grantees, his or her heirs or assigns,

The President to issue letters patent to the actual settlers, &c.

Condition to be inserted in the patents, &c.

shall not, within five years from the date of the same letters, make, or cause and procure to be made, an actual settlement on the lot or lots assigned to him, her, or them, and the same continue for five years thereafter, that then the said letters patent, so far as concerns the said lot or lots not settled and continued to be settled as aforesaid, shall cease and determine, and the title thereof shall revert in the United States, in the same manner as if this law had not passed.*

SEC. 5. *And be it further enacted,* That nothing in this act shall be taken or considered in any manner to impair or affect the claims of the said settlers, against any person or persons, for or by reason of any contracts heretofore made by them, but that the same contracts shall be and remain in the same state as if this law had not passed.

Approved, March 3, 1795.

*Repealed as to actual settlement. See act of 21st Feb. 1806, chap. 27, post. Nothing in this act to impair contracts made by settlers, &c.

CHAP. 41.—An act to authorize Ebenezer Zane to locate certain lands in the Territory of the United States northwest of the river Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, upon the conditions hereinafter mentioned, there shall be granted to Ebenezer Zane three tracts of land, not exceeding one mile square each—one on the Muskingum river, one on Hockhocking river, and one other on the north bank of Sciota river, and in such situations as shall best promote the utility of a road to be opened by him on the most eligible route between Wheeling and Limestone, to be approved by the President of the United States, or such person as he shall appoint for that purpose: *Provided,* Such tracts shall not interfere with any existing claim, location, or survey; nor include any salt spring, nor the lands on either side of the river Hockhocking at the falls thereof.

Three tracts of land granted to Ebenezer Zane, not exceeding one mile square each, upon the conditions mentioned, &c.

Provido; the tracts not to interfere with exist'g claims, nor to include any salt spring, &c.

SEC. 2. *And be it further enacted,* That upon the said Zane's procuring, at his own expense, the said tracts to be surveyed, in such way and manner as the President of the United States shall approve, and returning into the Treasury of the United States plats thereof, together with warrants granted by the United States for military land bounties, to the amount of the number of acres contained in the said three tracts; and, also, producing satisfactory proof, by the first day of January next, that the aforesaid road is opened, and ferries established upon the rivers aforesaid, for the accommodation of travellers, and giving security that such ferries shall be maintained during the pleasure of Congress; the President of the United States shall be, and he hereby is, authorized and empowered to issue letters patent, in the name and under the seal of the United States, thereby granting and conveying to the said Zane, and his heirs, the said tracts of land located and surveyed as aforesaid, which

Ebenezer Zane to procure the tracts to be surveyed at his own expense, to return plats into the Treasury, and warrants for military land bounties to the amount of acres in the three tracts; also, to produce proof of the opening of the road, establishm't of ferries, &c.

The President to issue letters patent, &c.

patents shall be countersigned by the Secretary of State and recorded in his office: *Provided, always,* That the rates of ferriage at such ferries shall, from time to time, be ascertained by any two of the judges of the Territory northwest of the river Ohio, or such other authority as shall be appointed for that purpose.

Approved, May 17, 1796.

*See chapter 54, amendatory.

CHAP. 42.—An act providing for the sale of the lands of the United States in the Territory northwest of the river Ohio, and above the mouth of Kentucky river.*

A surveyor general to be appointed; deputies, &c.

To cause the unascertained outlines of the lands northwest of the Ohio, &c. to be surveyed and marked, &c.

To frame regulations for his deputies, &c. remove them, &c.

The part of the lands not conveyed, &c. to be divided by north and south lines, &c. and by others crossing, &c. so as to form townships of six miles square, unless, &c.

†See chapter 14.

The corners of townships to be marked, and each distance of a mile with different marks, &c.

One half the townships to be subdivided into sections of 640 acres, &c.

†See act of May 10, 1800, chap. 54, and act of March 26, 1804, chap. 69.

The sections to be numbered, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a surveyor general shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors, as his deputies; whom he shall cause, without delay, to survey and mark the unascertained outlines of the lands lying northwest of the river Ohio, and above the mouth of the river Kentucky, in which the titles of the Indian tribes have been extinguished, and to divide the same in the manner hereinafter directed; he shall have authority to frame regulations and instructions for the government of his deputies, to administer the necessary oaths upon their appointments, and to remove them for negligence or misconduct in office.

SEC. 2. *Be it further enacted,* That the part of the said lands which has not been already conveyed by letters patent, or divided, in pursuance of an ordinance in Congress, passed on the twentieth of May, one thousand seven hundred and eighty-five,† or which has not been heretofore, and, during the present session of Congress, may not be, appropriated for satisfying military land bounties, and for other purposes, shall be divided by north and south lines, run according to the true meridian, and by others crossing them at right angles, so as to form townships of six miles square, unless where the line of the late Indian purchase, or of tracts of land heretofore surveyed or patented, or the course of navigable rivers, may render it impracticable; and then this rule shall be departed from no further than such particular circumstances may require. The corners of the townships shall be marked with progressive numbers, from the beginning; each distance of a mile between the said corners shall be also distinctly marked, with marks different from those of the corners. One half of the said townships, taking them alternately, shall be subdivided into sections,† containing, as nearly as may be, six hundred and forty acres each, by running through the same, each way, parallel lines, at the end of every two miles, and by marking a corner on each of the said lines, at the end of every mile; the sections shall be numbered, respectively, beginning with the number one in the northeast section, and proceeding west and east

alternately, through the township, with progressive numbers, till the thirty-sixth be completed. And it shall be the duty of the deputy surveyors, respectively, to cause to be marked on a tree near each corner made as aforesaid, and within the section, the number of such section, and over it the number of the township within which such section may be; and the said deputies shall carefully note, in their respective field books, the names of the corner trees marked, and the numbers so made. The fractional parts of townships shall be divided into sections, in manner aforesaid, and the fractions of sections shall be annexed to, and sold with, the adjacent entire sections. All lines shall be plainly marked upon trees, and measured with chains, containing two perches of sixteen feet and one half each, subdivided into twenty-five equal links, and the chain shall be adjusted to a standard to be kept for that purpose. Every surveyor shall note in his field book the true situations of all mines, salt licks, salt springs, and mill seats, which shall come to his knowledge; all watercourses over which the line he runs shall pass; and also the quality of the lands. These field books shall be returned to the surveyor general, who shall therefrom cause a description of the whole lands surveyed to be made out and transmitted to the officers who may superintend the sales. He shall also cause a fair plat to be made of the townships and fractional parts of townships contained in the said lands, describing the subdivisions thereof, and the marks of the corners. This plat shall be recorded in books to be kept for that purpose; a copy thereof shall be kept open at the surveyor general's office for public information; and other copies sent to the places of sale, and to the Secretary of the Treasury.

The number of the section and of the township to be marked on a tree, &c.

The deputies to note the corner trees, &c.

Fractional parts of townships to be divided into sections, &c.

Lines to be marked on trees, and measured with chains, &c.

Surveyors to note situations of mines, salt licks, mill seats, &c.

Field books to be returned to the surveyor general, &c.

The surveyor general to cause a fair plat to be made of townships, &c.

The plat to be recorded, &c.

SEC. 3. *Be it further enacted*, That a salt spring (1) lying upon a creek which empties into the Sciota river, on the east side, together with as many contiguous sections as shall be equal to one township, and every other salt spring

Salt springs, sections, &c. reserved for the future disposal of the United States, &c.

(1) This salt spring, and also those near the Muskingum river, have been given to the State of Ohio, by the act of the 30th of April, 1802. See the 2d proposition of the 7th section of chap. 59, post. The section No. 16, which is one of the four central sections, was also, by the act of 30th April, 1802, granted to the inhabitants of every township in the State of Ohio. See the 1st proposition of the 7th section of chap. 59, post. And by the act of the 3d of March, 1803, (chap. 61,) and of 2d March, 1807, (chap. 88,) certain quarter townships were granted, in lieu of that section, for the use of schools, in the military tract, in the Connecticut Reserve, and in the Virginia military tract, where the section No. 16 had not originally been reserved. The same reservation of No. 16, for the use of schools, has been made in all the subsequent laws for the sale of public lands, wherever situated. The reservation of the three other central sections has not been made in the Mississippi, Orleans, (now the State of Louisiana,) and Louisiana (now Missouri) Territories, nor in any tracts of land north of the river Ohio, to which the Indian title has been extinguished subsequent to the treaty of Greenville: that is to say, from the year 1795. And the sale of those reserved sections, as well as those reserved by the ordinance of the 20th of May, 1785, (see chap. 14,) is authorized by the 7th section of the act of 3d of March, 1805, (chap. 76,) and by act of 29th February, 1808, (chap. 96.)

No reservations, except for salt springs, where the fraction is less, &c.

Whenever seven ranges of townships have been surveyed, &c. the sections of 640 acres, &c. to be offered for sale at public vendue, &c.

At Cincinnati.

At Pittsburg.

Townships remaining undivided to be offered for sale, &c. at the seat of Government, &c. in tracts of one quarter of a township at the corners, excluding, &c.

Provide; no part of the lands to be sold for less than two dollars per acre.

The Secretary, after receiving the plats, to give notice, &c. of the times of sale, &c.

Notice to be given when the sales are suspended, &c.

Immediately after the passing of this act, the Secretary of the Treasury to advertise for sale the lands remaining unsold in the seven ranges, &c. surveyed in pursuance of an ordinance of 30th May, 1785, &c.

which may be discovered, together with the section of one mile square which includes it, and also four sections at the centre of every township, containing each one mile square, shall be reserved for the future disposal of the United States; but there shall be no reservations, except for salt springs, in fractional townships, where the fraction is less than three fourths of a township.

SEC. 4. *Be it further enacted,* That whenever seven ranges of townships shall have been surveyed below the Great Miami, or between the Sciota river and the Ohio Company's purchase, or between the southern boundary of the Connecticut claims and the ranges already laid off, beginning upon the Ohio river and extending westwardly, and the plats thereof made and transmitted, in conformity to the provisions of this act, the said sections of six hundred and forty acres (excluding those hereby reserved) shall be offered for sale, at public vendue, under the direction of the Governor or secretary of the Western Territory, and the surveyor general; such of them as lie below the Great Miami shall be sold at Cincinnati; those of them which lie between the Sciota and the Ohio Company's purchase, at Pittsburg; and those between the Connecticut claim and the seven ranges, at Pittsburg. And the townships remaining undivided shall be offered for sale, in the same manner, at the seat of Government of the United States, under the direction of the Secretary of the Treasury, in tracts of one quarter of a township, lying at the corners thereof, excluding the four central sections and the other reservations before mentioned: *Provided, always,* That no part of the lands directed by this act to be offered for sale shall be sold for less than two dollars per acre. (1)

SEC. 5. *Be it further enacted,* That the Secretary of the Treasury, after receiving the aforesaid plats, shall forthwith give notice, in one newspaper in each of the United States, and of the Territories northwest and south of the river Ohio, of the times of sale; which shall, in no case, be less than two months from the date of the notice; and the sales at the different places shall not commence within less than one month of each other. And when the Governor of the Western Territory, or Secretary of the Treasury, shall find it necessary to adjourn or suspend the sales under their direction, respectively, for more than three days at any one time, notice shall be given in the public newspapers of such suspension, and at what time the sales will recommence.

SEC. 6. *Be it further enacted,* That immediately after the passing of this act the Secretary of the Treasury shall, in the manner hereinbefore directed, advertise for sale the lands remaining unsold in the seven ranges of townships which were surveyed in pursuance of an ordinance of Con-

(1) This section was not carried into effect, having been superseded by the provisions of the act of 10th of May, 1800; chap. 54, post.

gress passed the twentieth of May, one thousand seven hundred and eighty-five,* including the lands drawn for the army by the late Secretary of War, and also those heretofore sold, but not paid for; the townships which, by the said ordinance, are directed to be sold entire, shall be offered for sale at public vendue, in Philadelphia, under the direction of the Secretary of the Treasury, in quarter townships, reserving the four centre sections, according to the directions of this act. The townships which, by the said ordinance, are directed to be sold in sections, shall be offered for sale at public vendue, in Pittsburg, under the direction of the Governor or secretary of the Western Territory, and such person as the President may specially appoint for that purpose, by sections of one mile square each, reserving the four centre sections, as aforesaid; and all fractional townships shall also be sold in sections, at Pittsburg, in the manner and under the regulations provided by this act for the sale of fractional townships: *Provided, always,* That nothing in this act shall authorize the sale of those lots which have been heretofore reserved in the townships already sold.

*See chapter 14.

The townships, &c. directed to be sold entire, to be offered for sale at public vendue, in Philadelphia, &c.

The townships directed to be sold in sections, to be offered for sale at public vendue, in Pittsburg, &c.

Fractional townships to be sold in sections at Pittsburg, &c.

Proviso; nothing herein to authorize the sale of lots heretofore reserved, &c.

The highest bidder to deposit 1-20th of the purchase-money, to be forfeited if the moiety of the sum bid, &c. is not paid within 30 days, &c.

SEC. 7. *Be it further enacted,* That the highest bidder for any tract of land, sold by virtue of this act, shall deposit at the time of sale one twentieth part of the amount of the purchase-money; to be forfeited if a moiety of the sum bid, including the said twentieth part, is not paid, within thirty days, to the Treasurer of the United States, or to such person as shall be appointed by the President of the United States to attend the places of sale for that purpose; and upon payment of a moiety of the purchase-money within thirty days, the purchaser shall have one year's credit for the residue; (1) and shall receive from the Secretary of the Treasury, or the Governor of the Western Territory, (as the case may be,) a certificate describing the land sold, the sum paid on account, the balance remaining due, the time when such balance becomes payable; and that the whole land sold will be forfeited if the said balance is not then paid; but that if it shall be duly discharged, the purchaser, or his assignee or other legal representative, shall be entitled to a patent for the said lands; and, on payment of the said balance to the Treasurer, within the specified time, and producing to the Secretary of State a receipt for the same, upon the aforesaid certificate, the President of the United States is hereby authorized to grant a patent for the lands to the said purchaser, his heirs or assigns. And all patents shall be countersigned by the Secretary of State, and recorded in his office.† But if there should be a failure in any payment, the sale shall be void, all the money theretofore paid on account of the purchase shall be forfeited to the United States, and the lands thus sold shall be again disposed of, in the same manner as if a sale had never been made: *Provided, nevertheless,* That

Upon payment of a moiety, &c., the purchaser to have one year's credit for the residue, and shall receive a certificate, describing the land sold, the sum paid on account, &c.

On payment of the balance, &c., the President to grant a patent, &c.

†Altered. See act of 25th April, 1812, chapter 136.

If there should be a failure in payment, the sale to be void, &c.

(1) The terms of credit altered by act of 10th May, 1800, chap. 54.

Proviso; if a purchaser makes payment of the whole purchase-money at the time of payment of the first moiety, he is entitled to a deduction of 10 per cent., &c.

The Secretary of the Treasury, and the Governor of the Northwestern Territory, to cause books to be kept, and entries made of the dates of sales, &c.

The Governor, &c. on every suspension of sales, &c., to transmit to the Secretary of the Treasury a copy of the books, &c.

Tracts sold, to be noted on the general plat, &c.

Navigable rivers, &c. to remain public highways.

Streams not navigable, the opposite banks of which belong to different persons, to be common to both.

The surveyor general to receive two thousand dollars per annum.

The President may fix the compensation of assistants, &c.

Proviso; the whole expense not to exceed 33 per mile.

Fees for services to be done under this act, &c.

*These fees modified by act of 10th May, 1800, chapter 54; and entirely repealed by act of 28th March, 1804, chapter 69.

Fees to be accounted for by receivers.

The surveyor general, assistants, &c., to take an oath, &c.

The person appointed to receive the money on sales, &c., to give bond, with security, &c.

should any purchaser make payment of the whole purchase-money at the time when the payment of the first moiety is directed to be made, he shall be entitled to a deduction of ten per centum on the part for which a credit is hereby directed to be given, and his patent shall be immediately issued.

SEC. 8. *Be it further enacted,* That the Secretary of the Treasury and the Governor of the Territory northwest of the river Ohio shall, respectively, cause books to be kept, in which shall be regularly entered an account of the dates of all the sales made, the situation and numbers of the lots sold, the price at which each was struck off, the money deposited at the time of sale, and the dates of the certificates granted to the different purchasers. The Governor or secretary of the said Territory shall, at every suspension or adjournment, for more than three days, of the sales under their direction, transmit to the Secretary of the Treasury a copy of the said books, certified to have been duly examined and compared with the original. And all tracts sold under this act shall be noted upon the general plat, after the certificate has been granted to the purchaser.

SEC. 9. *And be it further enacted,* That all navigable rivers within the territory to be disposed of by virtue of this act shall be deemed to be and remain public highways. And that in all cases where the opposite banks of any stream, not navigable, shall belong to different persons, the stream and the bed thereof shall become common to both.

SEC. 10. *And be it further enacted,* That the surveyor general shall receive, for his compensation, two thousand dollars per annum; and that the President of the United States may fix the compensation of the assistant surveyors, chain-carriers, and axe-men: *Provided,* That the whole expense of surveying and marking the lines shall not exceed three dollars per mile, for every mile that shall be actually run or surveyed.

SEC. 11. *And be it further enacted,* That the following fees* shall be paid, for the services to be done under this act, to the Treasurer of the United States, or to the receiver in the Western Territory, as the case may be: for each certificate for a tract containing a quarter of a township, twenty dollars; for a certificate for a tract containing six hundred and forty acres, six dollars; and for each patent for a quarter of a township, twenty dollars; for a section of six hundred and forty acres, six dollars: and the said fees shall be accounted for by the receivers, respectively.

SEC. 12. *And be it further enacted,* That the surveyor general, assistant surveyors, and chain-carriers, shall, before they enter on the several duties to be performed under this act, severally take an oath or affirmation, *faithfully to perform the same.* And the person to be appointed to receive the money on sales in the Western Territory, before he shall receive any money under this act, shall give bond, with sufficient security, for the faithful discharge of his trust; that,

for receiving, safe keeping, and conveying to the Treasury, the money he may receive, he shall be entitled to a compensation, to be hereafter fixed.*

*See sect. 6, chapter 54.

Approved, May 18, 1796.

[See Part II, Nos. 13, 64, 85, 98, 153, 198, 199, 220, 395, 728, 729, 730, 733, 735, 736, 738, 739, 740, 742, 743, 744, 747, 748, 758, 759, 760, 785, 794, 801, 802, 803, 804, 805, 806, 809, 810, 819, 824, 838, 835, 900, 905, 912, 908, 944, 948, 962, 980, 996.]

CHAP. 43.—An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the surveyor general be, and he is hereby, required to cause to be surveyed the tract of land beginning at the northwest corner of the seven ranges of townships, and running thence fifty miles, due south, along the western boundary of the said ranges; thence, due west, to the main branch of the Sciota river; thence, up the main branch of the said river, to the place where the Indian boundary line crosses the same; thence, along the said boundary line, to the Tuscaroras branch of the Muskingum river, at the crossing place above Fort Lawrence; thence, up the said river, to the point where a line run due west from the place of beginning will intersect the said river; thence, along the line so run, to the place of beginning; and shall cause the said tracts to be divided into townships of five miles square, by running, marking, and numbering, the exterior lines of the said townships, and marking corners in the said lines, at the distance of two and one half miles from each other, in the manner directed by the act entitled "An act providing for the sales of the lands of the United States in the Territory northwest of the river Ohio, and above the mouth of Kentucky river;"‡ and that the lands above described, except the salt springs therein, and the same quantities of land adjacent thereto as are directed to be reserved with the salt springs, in the said recited act, and such tracts within the boundaries of the same as have been heretofore appropriated by Congress, be, and they are hereby, set apart and reserved for the purposes hereinafter mentioned.

SEC. 2. *And be it further enacted,* That the said land shall be granted only in tracts containing a quarter of the township to which they belong, lying at the corners thereof; and that the Secretary of the Treasury shall, for the space of nine months§ after public notice in the several States and Territories, register warrants for military services to the amount of any one or more tracts, for any person or persons holding the same; and shall, immediately after the expiration of the said time, proceed to determine, by lot, to be

†See also the following acts: chapters 43, 51, 58, 67, 75, 80, 97, 106, 155, 167, 181, 211, 226, 254, 285, 322, 348, 402, § 6, 442, 461, 472.

The surveyor general required to cause to be surveyed the tract of land described, &c.

The tracts to be divided into townships of five miles square, &c.

‡Ante, chapter 42.

The lands described, except, &c., set apart for the purposes mentioned.

The land to be granted only in tracts containing a quarter of the township, &c.

§See act of Feb. 11, 1800, chapter 50.

The Secretary of the Treasury, for nine months after, &c., to register warrants for military services, &c., and proceed to determine by lot, &c. the priority of location, &c.

The persons holding, &c., to make their locations after the lots are proclaimed, &c.

After the time limited, &c., any person, &c. to be at liberty to make locations, &c.

Lands set apart by the 1st section of this act, remaining unlocated on the 1st January, 1800, to be released from the reservation, &c.

*This section repealed by act of March 2, 1799, sec. 1, chapter 48.

The surveyor general to cause to be surveyed three tracts of 4,000 acres each, at Schoenbrun, Gnadenhutzen, and Salem, &c., for the United Brethren, &c.

†See chapter 32.

All navigable streams within the territory to be disposed of, to remain public highways, &c.

drawn in the presence of the Secretaries of State and of War, the priority of location of the said registered warrants; and the person or persons holding the same shall, severally, make their locations after the lots shall be proclaimed, on a day to be previously fixed in the before-mentioned notice; in failure of which, they shall be postponed in locating such warrants to all other persons holding registered warrants. And the patents for all lands located under the authority of this act shall be granted in the manner directed by the before-mentioned act, without requiring any fee therefor.

SEC. 3. *And be it further enacted*, That after the time limited for making the locations, as aforesaid, any person or persons holding warrants of the before-mentioned description, sufficient to cover any one or more tracts, as aforesaid, shall be at liberty to make their locations on any tract or tracts not before located.

SEC. 4. *And be it further enacted*, That all the lands set apart by the first section of this act, which shall remain unlocated on the first day of January, in the year one thousand eight hundred, shall be released from the said reservation, and shall be at the free disposition of the United States, in like manner as any other vacant territory of the United States. And all warrants or claims for lands on account of military services which shall not, before the day aforesaid, be registered and located, shall be forever barred.*

SEC. 5. *And be it further enacted*, That the said surveyor general be, and he is hereby, required to cause to be surveyed three several tracts of land, containing four thousand acres each, at Schoenbrun, Gnadenhutzen, and Salem, being the tracts formerly set apart by an ordinance of Congress of the third of September, one thousand seven hundred and eighty-eight,† for the Society of United Brethren for propagating the Gospel among the Heathen; and to issue a patent or patents for the said three tracts to the said society, in trust for the uses and purposes in the said ordinance set forth.

SEC. 6. *And be it further enacted*, That all navigable streams or rivers within the territory to be disposed of by virtue of this act shall be deemed to be and remain public highways; and that in all cases where the opposite banks of any stream not navigable shall belong to different persons, the stream and the bed thereof shall be common to both.

Approved, June 1, 1796.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 189, 236, 237, 728, 729, 780, 733.]

†Repealed by act 19th April, 1806, chapter 83.

The evidences of the public debt receivable in payment for any of the lands sold in conformity to the act mentioned, at the rates specified.

CHAP. 44.—An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the evidences of the public debt of the United States shall be receivable in payment for any of the

lands which may be hereafter sold in conformity to the act entitled "An act providing for the sale of the lands of the United States in the Territory northwest of the river Ohio, and above the mouth of Kentucky river,"* at the following rates, viz: the present foreign debt of the United States, and such debt or stock as, at the time of payment, shall bear an interest of six per centum per annum, shall be received at their nominal value; and the other species of debt or stock of the United States shall be received at a rate bearing the same proportion to their respective market price at the seat of Government at the time of payment, as the nominal value of the above-mentioned six per centum stock shall, at the same time, bear to its market price at the same place; the Secretary of the Treasury, in all cases, determining what such market price is.

*Ante, chapter 42.

The Secretary of the Treasury to determine the market price of the stock.

Approved, March 3, 1797.

CHAP. 45.—An act for the relief of the refugees from the British provinces of Canada and Nova Scotia.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, to satisfy the claims of certain persons claiming lands under the resolutions of Congress of the twenty-third of April, one thousand seven hundred and eighty-three, and the thirteenth of April, one thousand seven hundred and eighty-five,‡ as refugees from the British provinces of Canada and Nova Scotia, the Secretary of the Department of War be, and is hereby, authorized and directed to give notice, in one or more of the public papers of each of the States of Vermont, Massachusetts, New York, New Hampshire, and Pennsylvania, to all persons having claims under the said resolutions, to transmit to the War Office, within two years after the passing of this act, a just and true account of their claims to the bounty of Congress.

†Expired. See the act of Feb. 18, 1801, chap. 56, post, and act of Feb. 24, 1810, chapter 107.

‡See ante, chapter 13.

The Secretary of War to give notice to claimants under the resolutions of April 23, 1783, and April 13, 1785, &c.

SEC. 2. *And be it further enacted*, That no other persons shall be entitled to the benefit of the provisions of the act than those of the following descriptions, or their widows and heirs, viz: First, those heads of families, and single persons not members of any such families, who were residents in one of the provinces aforesaid prior to the fourth day of July, one thousand seven hundred and seventy-six, and who abandoned their settlements in consequence of having given aid to the United Colonies or States in the revolutionary war against Great Britain, or with intention to give such aid, and continued in the United States, or in their service, during the said war, and did not return to reside in the dominions of the King of Great Britain, prior to the twenty-fifth of November, one thousand seven hundred and eighty-three. Secondly, the widows and heirs of all such persons as were actually residents as aforesaid, who abandoned their settle-

Descriptions of persons entitled to the benefit of the act, &c.

ments as aforesaid, and died within the United States, or in their service, during the said war. And, thirdly, all persons who were members of families at the time of their coming into the United States, and who, during the war, entered into their service.

Proof of facts may be taken before judge of Supreme Court, &c.

SEC. 3. *And be it further enacted*, That the proof of the several circumstances necessary to entitle the applicants to the benefits of this act may be taken before a judge of the supreme or district court of the United States, or a judge of the supreme or superior court, or the first justice or first judge of the court of common pleas, or county court, of any State.

The Secretary of War to lay evidence of claims before the Secretary and Comptroller of the Treasury, and, with them, to examine and decide what quantity of land is due to each individual, &c.

SEC. 4. *And be it further enacted*, That, at the expiration of fifteen months, from and after the passing of this act, and from time to time thereafter, it shall be the duty of the Secretary for the Department of War to lay such evidence of claims as he may have received before the Secretary and Comptroller of the Treasury, and, with them, proceed to examine the testimony, and give their judgment, what quantity of land ought to be allowed to the individual claimants, in proportion to the degree of their respective services, sacrifices, and sufferings, in consequence of their attachment to the cause of the United States; allowing to those of the first class a quantity not exceeding one thousand acres, and to the last class a quantity not exceeding one hundred; making such intermediate classes as the resolutions aforesaid, and distributive justice, may, in their judgment, require; and make report thereof to Congress. And in case any such claimant shall have sustained such losses and sufferings, or performed such services for the United States, that he cannot justly be classed in any one general class, a separate report shall be made of his circumstances, together with the quantity of land that ought to be allowed him, having reference to the foregoing ratio: *Provided*, That, in considering what compensation ought to be made by virtue of this act, all grants, except military grants, which may have been made by the United States, or individual States, shall be considered, at the just value thereof at the time the same were made, respectively, either in whole or in part, as the case may be, a satisfaction to those who may have received the same: *Provided, also*, That no claim under this law shall be assignable until after report made to Congress as aforesaid, and until the said lands be granted to the persons entitled to the benefit of this act.

Limitation of quantity.

Report to Congress.

Separate reports of peculiar cases.

Grants by the U. States, or individual States, to be considered in whole, or in part, satisfaction, &c.

Claims not assignable until after report, grant, &c.

Claims not exhibited in time, barred.

*Time enlarged by act of 16th March, 1804, chapter 66.

SEC. 5. *Be it further enacted*, That all claims, in virtue of said resolutions of Congress, which shall not be exhibited as aforesaid, within the time by this act limited, shall forever thereafter be barred.*

Approved, April 7, 1798.

[NOTE.—That part of the ordinance of May 20, 1785, which reserved three townships on Lake Erie for the use of the refugees, was never carried into effect, other lands having been appropriated in lieu thereof by the preceding and other acts.]

CHAP. 46.—An act for an amicable settlement of the limits with the State of Georgia, and authorizing the establishment of a Government in the Mississippi Territory.*

*See appendix No. 3, and supplemental act of 10th May, 1800, chapter 204, post.

The President authorized to appoint commissioners to adjust interfering claims to the territory mentioned, and to receive proposals for the cession of other territory claimed by Georgia.

†See appendix No. 4.

Lands ascertained to be the property of the U. States, to be disposed of, &c.

Boundaries of a district to be called the Mississippi Territory, &c.

The President authorized to establish a Government, and appoint officers, in the Mississippi Territory.

†See chapter 20.

President may appoint officers in the recess of Congress, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is, authorized to appoint three commissioners, any two of whom shall have power to adjust and determine, with such commissioners as may be appointed under the legislative authority of the State of Georgia, all interfering claims of the United States and that State to territory situate west of the river Chatahouchee, north of the thirty-first degree of north latitude, and south of the cession made to the United States by South Carolina;† and also to receive any proposals for the relinquishment or cession of the whole or any part of the other territory claimed by the State of Georgia, and out of the ordinary jurisdiction thereof.

SEC. 2. *And be it further enacted,* That all the lands thus ascertained as the property of the United States shall be disposed of in such manner as shall be hereafter directed by law; and the nett proceeds thereof shall be applied to the sinking and discharging the public debt of the United States, in the same manner as the proceeds of the other public lands in the Territory northwest of the river Ohio.

SEC. 3. *Be it further enacted,* That all that tract of country bounded on the west by the Mississippi, on the north by a line to be drawn due east from the mouth of the Yasous to the Chatahouchee river, on the east by the river Chatahouchee, and on the south by the thirty-first degree of north latitude, shall be, and hereby is, constituted one district, to be called the Mississippi Territory; and the President of the United States is hereby authorized to establish therein a Government, in all respects similar to that now exercised in the Territory northwest of the river Ohio,‡ excepting and excluding the last article(1) of the ordinance made for the government thereof, by the late Congress, on the thirteenth day of July, one thousand seven hundred and eighty-seven, and, by and with the advice and consent of the Senate, to appoint all the necessary officers therein, who shall, respectively, receive the same compensations for their services, to be paid in the same manner, as by law established for similar officers in the Territory northwest of the river Ohio; and the powers, duties, and emoluments of a superintendent of Indian affairs for the southern department shall be united with those of Governor: *Provided, always,* That if the President of the United States should find it most expedient to establish this Government in the recess of Congress, he shall, nevertheless, have full power to appoint and commission all officers herein authorized; and their commissions shall continue in

(1) Viz: Article 6, which provides that there shall be neither slavery nor involuntary servitude, otherwise than in the punishment of crimes, &c.

force until the end of the session of Congress next ensuing the establishment of the Government.

Congress may hereafter divide the Mississippi Territory into two districts, &c.

SEC. 4. *Be it further enacted*, That the Territory hereby constituted one district, for the purposes of government, may, at the discretion of Congress, be hereafter divided into two districts, with separate Territorial Governments in each, similar to that established by this act.

Saving of the rights of Georgia, and of individuals, to the jurisdiction and soil.

SEC. 5. *Be it further enacted*, That the establishment of this Government shall in no respect impair the right of the State of Georgia, or of any person or persons, either to the jurisdiction or the soil of the said Territory; but the rights and claims of the said State, and of all persons interested, are hereby declared to be as firm and available as if this act had never been made.

The people of the Mississippi Territory to enjoy the same rights as those of the Territory Northwest of the river Ohio, under the ordinance of July 13, 1787. See chapter 20.

SEC. 6. *And be it further enacted*, That, from and after the establishment of the said Government, the people of the aforesaid Territory shall be entitled to, and enjoy, all and singular the rights, privileges, and advantages, granted to the people of the Territory of the United States northwest of the river Ohio, in and by the aforesaid ordinance of the thirteenth day of July, in the year one thousand seven hundred and eighty-seven, in as full and ample a manner as the same are possessed and enjoyed by the people of the said last-mentioned Territory.

\$10,000 appropriated for carrying this act into effect.

SEC. 8. *And be it further enacted*, That the sum of ten thousand dollars be, and hereby is, appropriated for the purpose of enabling the President of the United States to carry into effect the provisions of this act; and that the said sum be paid out of any moneys in the Treasury not otherwise appropriated.

Approved, April 7, 1798.

CHAP. 47.—An act to authorize a grant of lands to Stephen Monot and others, inhabitants of Gallipolis, therein named.*

*See act 21st Feb. 1806, chapter 77.

Survey to be made of 1,200 acres of land on the Ohio.

Boundaries of the survey.

†See chapter 40.

The tract to be divided into eight parts, &c., and assigned, by lot, to the persons named.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the surveyor general of the Northwestern Territory to survey one thousand two hundred acres of land, beginning on the bank of the Ohio river, at the lower corner of a tract surveyed pursuant to an act of Congress entitled "An act to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned,"† and running thence, down said river, along the courses thereof, six hundred and forty poles when reduced to a straight line; thence, extending back from the river and parallel to the lower line of the said grant, so far as to include the quantity aforesaid. And the said surveyor general shall, by lines plainly marked upon trees, divide the said tract into eight equal parts, or lots, having each, as nearly as may be, an equal front on the river, and designated by pro-

gressive numbers, marked on the corners thereof. And the surveyor general, when the said lots are laid off and numbered as aforesaid, shall distribute or assign the same, by lot, to Stephen Monot, Lewis Anthony Carpentier, Lewis Vimont, Francis Valton, Lewis Philip, A. Fichon, Anthony Maguet, Margaret G. C. Champaigne, wife of Peter A. Laforge, and Maria I. Dalliez, wife of Peter Luc, and to their heirs, being inhabitants of Galliopolis, who were prevented from obtaining their proportion of the land granted by the act aforesaid. The said surveyor general shall also make out a fair plat of the said tract, and shall designate thereon the said lots, marked, each, with the name of the person to whom the same shall have been assigned by lot, as aforesaid; which plat, with a certificate of the bounds and courses of the said tract and lots, he shall record in his office, and return a copy thereof to the Secretary of State, to be filed in his office.

A plat to be made of the tract, and the lots designated, &c.

Plat to be recorded, &c.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized and empowered to issue letters patent, in the usual form, thereby granting to the persons above named, and to their heirs, the said tract of land, to be held by them and their heirs in severalty, in lots designated, numbered, and marked, as aforesaid.

Letters patent to be issued for the tract, &c.

SEC. 3. *And be it further enacted*, That nothing in this act shall be taken or considered in any manner to affect the claims of the persons herein named, against any person or persons, for or by reason of any contracts heretofore made by them, but that the same contracts shall be and remain in the same state as if this act had not passed.

Saving of private contracts made by the grantees.

Approved, June 25, 1798.

CHAP. 48.—An act to amend the act entitled “An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.”*

*See original act of 1st June, 1796, chapter 43.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fourth section of an act entitled “An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,”† be, and the same is hereby, repealed.

The 4th section of the act mentioned, repealed.

†Chapter 43.

SEC. 2. *And be it further enacted*, That all the lands set apart by the first section of the above-mentioned act, which shall remain unlocated on the first day of January, in the year one thousand eight hundred and two, shall be released from the said reservation, and shall be at the free disposition of the United States, in like manner as any other vacant territory of the United States. And that all warrants or claims for lands, on account of military services, which shall not

Lands set apart by the 1st section of the act mentioned, remaining unlocated, &c., released from the reservation, &c.

Military warrants, not registered, &c. before the 1st Jan. 1802, barred, &c.

before the day aforesaid, be registered and located, shall be forever barred.

Approved, March 2, 1799.

[See Part II, Nos. 2, 108, 113, 114, 115, 116, 121, 189, 236, 237, 728, 729, 730, 733.]

CHAP. 49.—An act to authorize the sale of certain lands between the Great and Little Miami rivers, in the Territory of the United States northwest of the river Ohio, and for giving a pre-emption to certain purchasers and settlers.*

*See chap. 38, act of 3d March, 1801; also chap. 58, post, by which the provisions of this act are extended, &c.

Persons who contracted with John C. Symmes, prior to the 1st of April, 1797, &c., to be entitled to a preference in purchasing, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person or persons who, before the first day of April, in the year one thousand seven hundred and ninety-seven, had made any contract or contracts, in writing, with John Cleves Symmes, for the purchase of lands between the Great and Little Miami rivers, which are not comprehended in his patent dated the thirtieth day of September, one thousand seven hundred and ninety-four, shall be entitled to a preference in purchasing of the United States all the lands so contracted for, at the price of two dollars an acre, to be paid to the Treasurer of the United States as follows: one third part of the purchase-money on or before the first day of September next; one third part in one year from the said first day of September; and the remaining third part in two years from the said first day of September; which two last payments shall be secured in the manner pointed out and directed by the act entitled "An act for providing for the sale of the lands of the United States in the Territory northwest of the river Ohio, and above the mouth of Kentucky river."† And that, upon each payment, the same evidences of purchase and title shall be given to the purchasers, respectively, as to purchasers under the said recited act.

Terms of payment.

†See chapter 41.

Persons claiming the benefit of this act, to give notice, &c.

Persons neglecting to give notice, or failing to make first payment, right of pre-emption to cease, &c.

The surveyor general, on the receipt of notice, to survey the lands, &c., unless, &c.

SEC. 2. *And be it further enacted,* That each and every person claiming the benefit of this act shall, on or before the first day of September next, give notice, in writing, to the Secretary of the Treasury, or to the surveyor general, that they claim the right of pre-emption by this act offered, and do assent to the terms of sale established by this act. And if any person shall neglect to give the said notice, or shall fail in making the first payment as before directed, all right of pre-emption shall cease and become void; and the lands shall be surveyed and sold agreeably to the directions of the before-recited act.

SEC. 3. *And be it further enacted,* That the surveyor general shall, as soon as may be after the receipt of the notice aforesaid, lay off and survey the said lands, agreeably to the directions of the said recited act, unless the said lands have been heretofore surveyed and laid off by the said contract-

ors or settlers ; in which case the surveyor general shall survey the outlines of such tract or tracts, so as to ascertain the contents, and shall cause the same to be recorded and deposited, as in and by the said recited act is directed for the plats and surveys made under that act.

SEC. 4. *And be it further enacted*, That it may be lawful for the Secretary of the Treasury to credit the said purchasers with such reasonable sum or sums of money as have been expended in surveying the said land ; provided the same does not exceed the sums allowed by the United States to their own surveyors for the like services.

The Secretary of the Treasury may credit purchasers for sums expended in surveying, provided, &c.

SEC. 5. *And be it further enacted*, That the evidences of the public debt of the United States shall be receivable in payment for the said lands, agreeably to the directions of an act entitled "An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States."*

The evidences of the public debt to be received in payment, &c.

*See chapter 44.

Approved, March 2, 1799.

[See Part II, Nos. 13, 15, 35, 42, 43, 56, 57, 58, 60, 64, 72, 77, 88, 731, 737.]

CHAP. 50.—An act giving further time to the holders of military warrants to register and locate the same.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury shall, for the space of fourteen days after the expiration of the nine months heretofore allowed for that purpose by the act entitled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,"† register warrants for military services, in the form and manner as is prescribed by the said recited act ; and the priority of location of said warrants, and the warrants registered under the said recited act, shall be determined by lot, immediately after the expiration of the said fourteen days ; and a day for the location shall be fixed by the Secretary of the Treasury, in a public notice given in one of the gazettes of the city of Philadelphia.

The Secretary of the Treasury to register warrants 14 days after the nine months allowed by the act mentioned, &c.

†Chapter 43.

Priority of location of warrants under this and former acts, to be determined by lot, &c.

Notice in a Philadelphia gazette, &c.

Approved, February 11, 1800.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 189, 236, 237.]

CHAP. 51.—An act in addition to an act entitled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen."‡

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

‡See original act of 1st June, 1796, chapter 43 ; also chapters 58, 67, 76, 53.

Points of intersection of the lines actually run as boundaries, &c., are to be considered as the corners of townships, notwithstanding, &c.

*Chapter 43.

In regard to every township stated to contain 4,000 acres in each quarter, the points, &c. to be considered as corners of the respective quarters, &c.

The other boundary lines to be straight lines, &c.

In regard to every township, &c. stated to contain, in any of the quarters, more or less than 4,000 acres, the corners marked, &c. to be considered the corners of the quarter townships, &c., although, &c.

Townships to be divided, by running lines, &c.

Each of the quarter townships, &c., in every proceeding under the acts mentioned, to be considered as containing the exact quantity expressed in the plat, &c.

The proprietors, &c. of military land warrants, registered pursuant to the act mentioned, &c., may locate the quantities of land mentioned, on any quarter township, &c.

†Chapter 43.

sembled, That the respective points of intersection of the lines actually run as the boundaries of the several townships surveyed by virtue of the act entitled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,"* accordingly as the said lines have been marked and ascertained at the time when the same were run, notwithstanding the same are not in conformity to the act aforesaid, or shall not appear to correspond with the plat of the survey which has been returned by the surveyor general, shall be considered, and they are hereby declared to be, the corners of the said townships; that in regard to every such township as, by the plat and survey returned by the surveyor general, is stated to contain four thousand acres in each quarter thereof, the points on each of the boundary lines of such township, which are at an equal distance from those two corners of the same township which stand on the same boundary line, shall be considered, and they are hereby declared to be, corners of the respective quarters of such township; that the other boundary lines of the said quarter townships shall be straight lines, run from each of the last-mentioned corners of quarter townships to the corner of quarter townships on the opposite boundary line of the same township; and that, in regard to every such township as, by the said return, is stated to contain, in any of the quarters thereof, more or less than the quantity of four thousand acres, the corners marked in the boundary lines of such township, to designate the quarters thereof, shall be considered, and they are hereby declared to be, the corners of the quarter townships thereof, although the same may be found at unequal distances from the respective corners of such townships; and such townships shall be divided, by running lines through the same, from the corners of the quarter townships actually marked, whether the interior lines thus extended shall be parallel to the exterior lines of the said township or not; and that each of the said quarter townships thus bounded shall, in every proceeding to be had under the above-mentioned or this act, be considered as containing the exact quantity expressed in the plat and survey thereof returned by the surveyor general.

SEC. 2. *And be it further enacted*, That it shall be lawful for the proprietors or holders of warrants for military services which have been or shall be registered at the Treasury, in pursuance of the act entitled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,"† during the time, in the manner, and according to the rights of priority which may be acquired in pursuance of said act, to locate the quantities of land mentioned in the warrants by them respectively registered, as aforesaid, on any quarter township, or fractional part of a quarter township, in the general tract mentioned and described

in said act: *Provided, always*, That the fractional quarter townships upon the river Sciota, and those upon the river Muskingum, adjoining the grant made to Ebenezer Zane, or the towns Salem, Gnadenhutzen, or Schoenbrun, or the Indian boundary line, shall, in every case, be accepted and taken in full satisfaction for four thousand acres.*

SEC. 3. *And be it further enacted*, That whenever locations shall be made on any quarter township which, according to the actual survey and plat thereof, returned by the surveyor general, is stated to contain less than the quantity of four thousand acres, except in the case of fractions provided for in the preceding section, it shall be lawful for the Secretary of the Treasury to issue, or cause to be issued, certificates, expressing the number of acres remaining unsatisfied, of any registry of warrants, for the quantity of four thousand acres, made in pursuance of the act before recited; which certificates shall have the same validity and effect, and be liable to be barred in like manner, as warrants granted for military services; but no certificate shall be granted, nor any claim allowed, for less than fifty acres, nor for the navigable water contained within the limits of any quarter township or fractional quarter township.

SEC. 4. *And be it further enacted*, That whenever a location shall be made on any quarter township which, according to the actual survey and plat thereof, returned by the surveyor general, is stated to exceed the quantity of four thousand acres, no patent shall be issued in pursuance thereof until the person making such location shall deposit at the Treasury warrants for military services, or certificates issued by virtue of the preceding section, equal to the excess above four thousand acres contained in such quarter township, or shall pay into the Treasury of the United States two dollars per acre, in the certificates of the six per cent. funded debt of the United States, or money, for each acre of the excess above four thousand acres, as aforesaid.

SEC. 5. *And be it further enacted*, That after the priority of location shall have been determined, and after the proprietors or holders of warrants for military services shall have designated the tracts by them respectively elected, it shall be the duty of the Secretary of the Treasury to designate by lot, in the presence of the Secretary of War, fifty quarter townships of the lands remaining unlocated; which quarter townships, together with the fractional parts of townships remaining unlocated, shall be reserved for satisfying warrants granted to individuals for their military services, in the manner hereafter provided.

SEC. 6. *And be it further enacted*, That the land in each of the quarter townships designated as aforesaid, and in such of the fractional parts of quarter townships as may then remain unlocated, shall be divided by the Secretary of the Treasury, upon the respective plats thereof, as returned by the surveyor general, into as many lots of one hundred acres

Proviso; the fractional quarter townships mentioned, to be taken, in every case, for 4,000 acres, &c.

*See sect. 5, chap. 43.

Whenever location is made on any quarter township, stated to contain less than 4,000 acres, except, &c., the Secretary of the Treasury to issue certificates for the quantity remaining unsatisfied, &c.

No certificate to be granted for less than 50 acres, &c.

Whenever location is made on any quarter township, stated to exceed 4,000 acres, no patent to be issued until the excess of acres be paid for, &c.

After priority of locations have been determined, and holders of warrants, &c. have designated chosen tracts, &c., the Secretary of the Treasury to designate, by lot, &c., fifty quarter townships, &c. to be reserved for satisfying warrants granted for military services, &c.

The land in the quarter townships, and fractional parts, &c. remaining unlocated, to be divided, &c. into lots of 100 acres each, &c.

Lots to be included between parallel lines, &c.

After 16th March, 1800, and before 1st January, 1802, the holders of warrants may locate, &c. on any lots remaining, &c.

*See chapter 58.

Upon surrendering the warrant, the holder to receive a patent, &c.

†See chapter 43.

No location, or patent, for any lot of 100 acres, except in the name of the person originally entitled, &c.

Land located and patented not to be considered as in trust, &c.

‡Holders authorized. See act of 3d March, 1803, chap. 64, post, and subsequent acts.

Titles may be alienated in pursuance of laws passed in the Territory northwest of the Ohio, &c.

Where more than one application is made for the same tract, the Secretary of the Treasury to determine, by lot, &c.

The Secretary of the Treasury to advertise the tracts reserved for location, &c.

The actual plat, &c. of quarter townships, &c. contained in the tract mentioned, &c., to be considered as final and conclusive, so far, &c.

No claim to be hereafter set up by any proprietor, nor by the U. States, on account, &c.

each as shall be equal, as nearly as may be, to the quantity such quarter township or fraction is stated to contain; each of which lots shall be included, where practicable, between parallel lines one hundred and sixty perches in length, and one hundred perches in width, and shall be designated by progressive numbers upon the plat or survey of every such quarter township and fraction, respectively.

SEC. 7. *And be it further enacted*, That, from and after the sixteenth day of March next, it shall be lawful for the holder of any warrant granted for military services to locate, at any time before the first day of January, one thousand eight hundred and two,* the number of hundred acres expressed in such warrant, on any lot or lots, from time to time, remaining unlocated within the tracts reserved as aforesaid; and upon surrendering such warrant to the Treasury, the holder thereof shall be entitled to receive a patent, in the manner and upon the conditions heretofore prescribed by law; † which patent shall, in every case, express the range, township, quarter township, or fraction, and number of the lot, located as aforesaid. But no location shall be allowed, nor shall any patent be issued, for any lot or lots of one hundred acres, except in the name of the person originally entitled to such warrant, or the heir or heirs of the person so entitled; ‡ nor shall any land, so located and patented to a person originally entitled to such warrant, be considered as in trust for any purchaser, or be subject to any contract made before the date of such patent; and the title to lands acquired in consequence of patents issued as aforesaid shall and may be alienated in pursuance of the laws which have been or shall be passed in the Territory of the United States northwest of the river Ohio, for regulating the transfer of real property, and not otherwise.

SEC. 8. *And be it further enacted*, That in all cases, after the sixteenth of March next, where more than one application is made for the same tract, at the same time, under this act, or under the act to which this is in addition, the Secretary of the Treasury shall determine the priority of location by lot.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to advertise the tracts which may be reserved for location, in lots of one hundred acres, in one newspaper in each of the States, and in the Territory aforesaid, for and during the term of three months.

SEC. 10. *And be it further enacted*, That the actual plat and survey, returned by the surveyor general, of quarter townships and fractional parts of quarter townships contained in the tract mentioned and described in the act to which this is a supplement, shall be considered as final and conclusive, so far as relates to the quantity of land supposed to be contained in the quarter townships and fractions, so that no claim shall hereafter be set up against the United States, by any proprietor or holder of warrants for military

services, on account of any deficiency in the quantity of land contained in the quarter township or fractional part of a quarter township which shall have been located by such proprietor or holder; nor shall any claim be hereafter set up by the United States against such proprietor or holder, on account of any excess in the quantity of land contained therein.

Approved, March 1, 1800.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 177, 189, 236, 237, 728, 729, 730, 733, 818.]

CHAP. 52.—An act to authorize the President of the United States to accept, for the United States, a cession of jurisdiction of the territory west of Pennsylvania, commonly called the Western Reserve of Connecticut.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is, authorized to execute and deliver letters patent, in the name and behalf of the United States, to the Governor of the State of Connecticut for the time being, for the use and benefit of the persons holding and claiming under the State of Connecticut, their heirs and assigns, forever, whereby all the right, title, interest, and estate, of the United States, to the soil of that tract of land lying west of the west line of Pennsylvania, as claimed by the State of Pennsylvania, and as the same has been actually settled, ascertained, and run, in conformity to an agreement between the said State of Pennsylvania and the State of Virginia, and extending from said line, westward, one hundred and twenty statute miles in length and in breadth, throughout the said limits in length, from the completion of the forty-first degree of north latitude until it comes to forty-two degrees and two minutes north latitude, including all that territory commonly called the Western Reserve of Connecticut, and which was excepted by said State of Connecticut out of the cession by the said State heretofore made to the United States,* and accepted by a resolution of Congress of the fourteenth of September, one thousand seven hundred and eighty-six, shall be released and conveyed as aforesaid to the said Governor of Connecticut, and his successors in said office, forever, for the purpose of quieting the grantees and purchasers under said State of Connecticut, and confirming their titles to the soil of the said tract of land.

The President authorized to execute and deliver letters patent to the Governor of Connecticut, for the use of persons holding and claiming, &c., releasing the right, &c. of the United States to the soil of the territory called the Western Reserve, &c.

*See appendix No. 5.

Provided, however, That such letters patent shall not be executed and delivered unless the State of Connecticut shall, within eight months from passing this act, by a legislative act, renounce forever, for the use and benefit of the United States and of the several individual States who may be therein concerned, respectively, and of all those deriving claims or titles from them, or any of them, all territorial and jurisdictional claims whatever, under any grant, charter, or

Proviso; letters patent not to be executed, &c., unless the State of Connecticut, within eight months, renounces forever all territorial and jurisdictional claims to the lands described, &c.

charters whatever, to the soil and jurisdiction of any and all lands whatever, lying westward, northwestward, and southwestward, of those counties in the State of Connecticut which are bounded westwardly by the eastern line of the State of New York, as ascertained by agreement between Connecticut and New York in the year one thousand seven hundred and thirty-three, excepting only from such renunciation the claim of said State of Connecticut, and of those claiming from or under the said State, to the soil of said tract of land herein described under the name of the Western Reserve of Connecticut.

Provide; the State of Connecticut, by agents duly authorized, to execute a deed, releasing jurisdictional claim to the Western Reserve, &c.

Exemplification of the act of renunciation, and deed, to be deposited in the Department of State, &c.

Provide; nothing in this act to draw into question the conclusive settlement of the dispute between Pennsylvania and Connecticut, &c.

Provide; nothing herein to pledge the United States to the extinguishment of Indian title, &c.

And provided, also, That the said State of Connecticut shall, within the said eight months from and after passing this act, by the agent or agents of said State, duly authorized by the Legislature thereof, execute and deliver, to the acceptance of the President of the United States, a deed expressly releasing to the United States the jurisdictional claim of the said State of Connecticut to the said tract of land herein described under the name of the Western Reserve of Connecticut, and shall deposite an exemplification of said act of renunciation, under the seal of the said State of Connecticut, together with said deed, releasing said jurisdiction, in the office of the Department of State of the United States; which deed of cession, when so deposited, shall vest the jurisdiction of said territory in the United States: *Provided,* That neither this act nor any thing contained therein shall be construed so as in any manner to draw, into question the conclusive settlement of the dispute between Pennsylvania and Connecticut by the decree of the federal court at Trenton, nor to impair the right of Pennsylvania, or any other State, or of any person or persons claiming under that or any other State, in any existing dispute concerning the right either of soil or of jurisdiction, with the State of Connecticut, or with any person or persons claiming under the State of Connecticut: *And provided, also,* That nothing herein contained shall be construed in any manner to pledge the United States for the extinguishment of the Indian title to the said lands, or further than merely to pass the title of the United States thereto.

Approved, April 28, 1800.

*See original act of 7th April, 1798; ante, chap. 42.

So much of the ordinance and act mentioned as relates to the organization of a General Assembly in the Northwestern Territory, to be in force in the Mississippi Territory, &c., provided, &c.

See chapter 20.

CHAP. 53.—An act supplemental to the act entitled "An act for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a Government in the Mississippi Territory."

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the ordinance of Congress of the thirteenth of July, one thousand seven hundred and eighty-seven,† and of the act of Congress of the seventh of August, one thousand seven hundred and eighty-nine, provi-

ding for the government of the Territory of the United States northwest of the river Ohio, as relates to the organization of a General Assembly therein, and prescribes the powers thereof, shall forthwith operate and be in force in the Mississippi Territory: *Provided*, That until the number of free male inhabitants of full age in the said Territory shall amount to five thousand, there shall not be returned to the General Assembly more than nine representatives.*

SEC. 2. *And be it further enacted*, That until the number of free male inhabitants of full age in the Mississippi Territory shall amount to five thousand, the county of Adams shall be entitled to choose four representatives to the General Assembly, the county of Pickering four, and the Tensasaw and Tombigbee settlements one.

SEC. 3. *And be it further enacted*, That the first election for representatives to the General Assembly shall be on the fourth Monday in July next, and that all subsequent elections shall be regulated by the Legislature.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Governor of the Mississippi Territory to cause the said election to be holden, on the day aforesaid, at the most convenient place in the counties and settlements aforesaid, and to nominate a proper officer or officers to preside at and conduct the same, and to return to him the names of the persons who may have been duly elected.

SEC. 5. *And be it further enacted*, That the representatives shall be convened by the Governor at the town of Natchez on the fourth Monday in September next.

SEC. 6. *And be it further enacted*, That so soon as the number of free male inhabitants of full age shall amount to or exceed five thousand, the number of representatives to the General Assembly shall be determined, and the apportionment made, in the way prescribed in the ordinance.

SEC. 7. *And be it further enacted*, That nothing in this act shall in any respect impair the right of the State of Georgia to the jurisdiction, or of the said State, or of any person or persons, to the soil of the said Territory; but the rights and claims of the said State, and all persons interested, are hereby declared to be as firm and available as if this act had never been made.

SEC. 8. *And be it further enacted*, That the General Assembly shall meet at least once in every year, and such meeting shall be on the first Monday of December, unless they shall by law appoint a different day: *Provided*, That the Governor shall have power, on extraordinary occasions, to convene the General Assembly.

SEC. 9. *And be it further enacted*, That neither House, during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 10. *And be it further enacted*, That it shall be lawful for the commissioners appointed, or who may hereafter

*See act of 9th Jan. 1808.

Number of representatives in the General Assembly from the counties, &c. mentioned, until, &c.

The first election for representatives to the General Assembly to be on the 4th Monday in July, 1800, and, &c.

The Governor to cause the election to be holden at the most convenient place, &c.

The representatives to be convened at Natchez, &c.

When the free male inhabitants amount to 5,000, the number of representatives to be according to ordinance, &c.

Nothing in this act to impair the right of Georgia, or the rights of individuals, &c.

The General Assembly to meet once a year, &c., provided, &c.

Neither House, without the consent of the other, to adjourn for more than three days, nor, &c.

The commissioners under the act mentioned, &c., to settle, compromise, &c. with the commissioners of Georgia; receive a cession of lands, &c.

*Ante, chapter 46.

†See appendix No. 4.

The commissioners authorized to inquire into claims of settlers, receive propositions of compromise, and lay a statement before Congress, &c.

Provido; settlement before 4th March, 1808.

Provido; commissioners not to contract for the payment of money, other than, &c.

be appointed, on the part of the United States, in pursuance of the act entitled "An act for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a Government in the Mississippi Territory,"* or any two of them, finally to settle, by compromise, with the commissioners which have been or may be appointed by the State of Georgia, any claims mentioned in said act, and to receive, in behalf of the United States, a cession of any lands therein mentioned, or of the jurisdiction thereof, on such terms as to them shall appear reasonable;† and, also, that the said commissioners on the part of the United States, or any two of them, be authorized to inquire into the claims which are or shall be made by settlers, or any other persons whatsoever, to any part of the aforesaid lands, and to receive from such settlers and claimants any propositions of compromise which may be made by them, and lay a full statement of the claims and the propositions which may be made to them by the settlers or claimants to any part of the said lands, together with their opinion thereon, before Congress, for their decision thereon, as soon as may be: *Provided*, That the settlement shall be made and completed before the fourth day of March, one thousand eight hundred and three; *And provided, also*, That the said commissioners shall not contract for the payment of any money from the Treasury of the United States to the State of Georgia, other than the proceeds of the same lands.

Approved, May 10, 1800.

CHAP. 54.—An act to amend the act entitled "An act providing for the sale of the lands of the United States in the Territory northwest of the Ohio, and above the mouth of Kentucky river."‡

†See original act of 18th May, 1796, chapter 42.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the disposal of the lands of the United

Four land offices to be established in the Territory northwest of the Ohio, &c.

One at Cincinnati.

One at Chillicothe.

One at Marietta.

§Altered. See act of 3d March, 1808, chapter 64.

One at Steubenville.

States directed to be sold by the act entitled "An act providing for the sale of the lands of the United States in the Territory northwest of the Ohio, and above the mouth of Kentucky river," there shall be four land offices established in the said Territory; one at Cincinnati, for lands below the Little Miami, which have not heretofore been granted; one at Chillicothe, for lands east of the Sciota, south of the lands appropriated for satisfying military bounties to the late army of the United States, and west of the fifteenth range of townships; one at Marietta,§ for the lands east of the sixteenth range of townships, south of the before-mentioned military lands, and south of a line drawn due west from the northwest corner of the first township of the second range, to the said military lands; and one at Steubenville, for the lands north of the last-mentioned line, and east or north of the said military lands. Each of the said offices shall be

under the direction of an officer, to be called "the register of the land office," who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall give bond to the United States, with approved security, in the sum of ten thousand dollars, for the faithful discharge of the duties of his office; and shall reside at the place where the land office is directed to be kept.

Each land office to be under the direction of a register.

SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor general, and he is hereby expressly enjoined, to prepare and transmit to the registers of the several land offices, before the days herein appointed for commencing sales, general plats of the lands hereby directed to be sold at the said offices, respectively, and also to forward copies of each of the said plats to the Secretary of the Treasury.

The surveyor general to prepare and transmit plats to the registers, and copies to the Secretary of the Treasury, &c.

SEC. 3. *And be it further enacted*, That the surveyor general shall cause the townships west of the Muskingum, which, by the above-mentioned act, are directed to be sold in quarter townships, to be subdivided into half sections of three hundred and twenty acres each, as nearly as may be, by running parallel lines through the same from east to west, and from south to north, at the distance of one mile from each other, and marking corners, at the distance of each half mile on the lines running from east to west, and at the distance of each mile on those running from south to north, and making the marks, notes, and descriptions, prescribed to surveyors by the above-mentioned act.* And the interior lines of townships intersected by the Muskingum, and of all the townships lying east of that river, which have not been heretofore actually subdivided into sections, shall also be run and marked in the manner prescribed by the said act for running and marking the interior lines of townships directed to be sold in sections of six hundred and forty acres each. And in all cases where the exterior lines of the townships, thus to be subdivided into sections or half sections, shall exceed, or shall not extend, six miles, the excess or deficiency shall be specially noted, and added to or deducted from the western and northern ranges of sections or half sections in such township, according as the error may be in running the lines from east to west, or from south to north; the sections and half sections bounded on the northern and western lines of such townships shall be sold as containing only the quantity expressed in the returns and plats, respectively, and all others as containing the complete legal quantity. And the President of the United States shall fix the compensation of the deputy surveyors, chain-carriers, and axe-men: *Provided*, The whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be actually run, surveyed, and marked.

The surveyor general to cause the townships west of the Muskingum to be subdivided, &c.

The interior lines of townships intersected by the Muskingum, &c., not heretofore subdivided, &c., to be run and marked, &c.

*See act of March 26, 1804, sections 10, 13, chapter 69, post.

Where the exterior lines, &c. exceed or do not extend six miles, the excess or deficiency to be noted, &c.

Sections, &c. to be sold as containing the quantity expressed, &c.

Other sections, as containing the complete legal quantity.

The President to fix the compensation of deputy surveyors, &c., provided, &c.

SEC. 4. *And be it further enacted*, That the lands thus subdivided (excluding the sections reserved by the above-

The lands subdivided to be offered for sale in sections and half sections, at the places mentioned, &c.

*See act of March 26, 1804, sections 10, 13, chapter 69.

The sales to remain open for three weeks, &c.

Superintendents to observe rules, &c.

Lands remaining unsold may be disposed of at private sale, &c.

The register at Steubenville may proceed to sell, &c.

The register at Marietta may proceed to sell, &c.

No lands to be sold for less than two dollars per acre, payable in specie, or evidences of the public debt, &c.

†Chapter 44

Manner and conditions of payment.

mentioned act) shall be offered for sale in sections and half sections,* subdivided as before directed, at the following places and times, that is to say : those below the Little Miami shall be offered at public vendue in the town of Cincinnati, on the first Monday of April, one thousand eight hundred and one, under the direction of the register of the land office there established, and of either the Governor or secretary of the Northwestern Territory. The lands east of Sciota, south of the military lands, and west of the fifteenth range of townships, shall be offered, in like manner, for sale at Chillicothe, on the first Monday of May, one thousand eight hundred and one, under the direction of the register of the land office there established, and of either the Governor or secretary of the said Territory. The lands east of the sixteenth range of townships, south of the military lands, and west of the Muskingum, including all the townships intersected by that river, shall be offered for sale, in like manner, at Marietta, on the last Monday of May, one thousand eight hundred and one, under the direction of the Governor, or secretary, or surveyor general, of the said Territory. The sales shall remain open at each place for three weeks, and no longer. The superintendents shall observe the rules and regulations of the above-mentioned act, in classing and selling fractional with entire sections, and in keeping and transmitting accounts of the sales. All lands remaining unsold, at the closing of either of the public sales, may be disposed of at private sale by the registers of these respective land offices, in the manner hereinafter prescribed; and the register of the land office at Steubenville, after the first day of July next, may proceed to sell at private sale the lands situate within the district assigned to his direction, as hereinbefore described, disposing of the same in sections, and classing fractional with entire sections, according to the provisions and regulations of the above-mentioned act, and of this act. And the register of the land office at Marietta, after the said first day of July next, may proceed to sell at private sale any of the lands, within the district assigned to his direction as aforesaid, which are east of the river Muskingum, excluding the townships intersected by that river, disposing of the same in sections, and classing fractional with entire sections, as aforesaid.

SEC. 5. *And be it further enacted*, That no lands shall be sold by virtue of this act, at either public or private sale, for less than two dollars per acre, and payment may be made for the same by all purchasers either in specie, or in evidences of the public debt of the United States, at the rates prescribed by the act entitled "An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States,"† and shall be made in the following manner, and under the following conditions, to wit :

1. At the time of purchase, every purchaser shall, exclusively of the fees hereafter mentioned, pay six dollars for

every section and three dollars for every half section he may have purchased, for surveying expenses, and deposite one twentieth part of the amount of purchase-money, to be forfeited if within forty days one fourth part of the purchase-money, including the said twentieth part, is not paid.*

Six dollars for every section, &c. to be paid at the time of purchase, for surveying expenses, &c., and 1-20th of the price to be deposited, &c.

2. One fourth part of the purchase-money shall be paid within forty days after the day of sale as aforesaid; another fourth part shall be paid within two years; another fourth part within three years; and another fourth part within four years, after the day of sale.

*See act of March 26, 1804, section 14, chapter 69, post.

A fourth part of purchase-money to be paid in forty days, in two years, in three years, and in four years.

3. Interest, at the rate of six per cent. a year, from the day of sale, shall be charged upon each of the three last payments, payable as they respectively become due.†

Interest on the three last payments, &c.

†See act of March 26, 1804, section 11, chapter 69, post.

4. A discount, at the rate of eight per cent. a year, shall be allowed on any of the three last payments, which shall be paid before the same shall become due, reckoning this discount always upon the sum which would have been demandable by the United States on the day appointed for such payment.

A discount on any of the three last payments, if paid before due, &c.

5. If the first payment of one fourth part of the purchase-money shall not be made within forty days after the sale, the deposite, payment, and fees, paid and made by the purchaser, shall be forfeited; and the lands shall and may, from and after the day when the payment of one fourth part of the purchase-money should have been made, be disposed of at private sale, on the same terms and conditions, and in the same manner, as the other lands directed by this act to be disposed of at private sale: *Provided*, That the lands which shall have been sold at public sale, and which shall, on account of such failure of payment, revert to the United States, shall not be sold at private sale for a price less than the price that shall have been offered for the same at public sale.

If the first payment is not made, &c., the deposite, &c. are forfeited, and the land may be sold, &c.

Provide; land reverting on account of failure in payment, not to be sold for less at private than had been offered at public sale, &c.

6. If any tract shall not be completely paid for within one year after the date of the last payment, the tract shall be advertised for sale by the register of the land office within whose district it may lie, in at least five of the most public places in the said district, for at least thirty days before the time of sale. And he shall sell the same at public vendue, during the sitting of the court of quarter sessions of the county in which the land office is kept, for a price not less than the whole arrears due thereon, with the expenses of sale;‡ the surplus, if any, shall be returned to the original purchaser, or to his legal representative; but if the sum due, with interest, be not bidden and paid, then the land shall revert to the United States. All moneys paid therefor shall be forfeited, and the register of the land office may proceed to dispose of the same to any purchaser, as in case of other lands, at private sale.

Tracts not paid for within one year, &c., to be advertised for sale by the register, &c.

‡See act of April 16, 1806, chap. 80.

Sec. 6. And be it further enacted, That all and every the payments to be made by virtue of the preceding section shall be made either to the Treasurer of the United States, or to such person or officer as shall be appointed by the

Payments to be made to the Treasurer, or receivers of public moneys, &c.

Receivers of public moneys to give bonds, &c.

Treasurer and receiver to give receipts, &c., transmit accounts of money received to the Secretary of the Treasury and to the registers, &c.

Receivers to transmit moneys quarterly to the Treasurer, &c.

One per cent. to receivers, &c.

*Chapter 42.

The registers of the land offices to receive and enter applications of purchasers in the manner prescribed, &c.

†See act of February 24, 1810, chap. 108.

If two or more persons apply for the same tract, the register to determine by lot, &c.

Register to file receipts, give copies, &c.

President of the United States, with the advice and consent of the Senate, receiver of public moneys for lands of the United States, at each of the places, respectively, where the public and private sales of the said lands are to be made; and the said receiver of public moneys shall, before he enters upon the duties of his office, give bond, with approved security, in the sum of ten thousand dollars, for the faithful discharge of his trust; and it shall be the duty of the said Treasurer and receiver of public moneys to give receipts for the moneys by them received, to the persons respectively paying the same; to transmit, within thirty days in case of public sale, and quarterly in case of private sale, an account of all the public moneys by them received, specifying the amount received from each person, and distinguishing the sums received for surveying expenses and those received for purchase-money, to the Secretary of the Treasury, and to the registers of the land office, as the case may be. The said receivers of public moneys shall, within three months after receiving the same, transmit the moneys by them received to the Treasurer of the United States; and the receivers of public moneys for the said sales, and also the receivers of public moneys for the sales which have taken place at Pittsburg, under the act entitled "An act providing for the sale of the lands of the United States in the Territory northwest of the Ohio, and above the mouth of Kentucky river,"* shall receive one per cent. on the money received, as a compensation for clerk hire, receiving, safe keeping, and transmitting it to the Treasury of the United States.

SEC. 7. *And be it further enacted*, That it shall be the duty of the registers of the land offices, respectively, to receive and enter, on books kept for that purpose only, and on which no blank leaves or space shall be left between the different entries, the applications of any person or persons who may apply for the purchase of any section or half section, and who shall pay him the fee hereafter mentioned, and produce a receipt from the Treasurer of the United States, or from the receiver of public moneys appointed for that purpose, for three dollars for each half section such person or persons may apply for, and for at least one twentieth part of the purchase-money, stating, carefully, in each entry, the date of the application, the date of the receipt to him produced, the amount of money specified in the said receipt, and the number of the section or half section, township, and range, applied for.† If two or more persons shall apply at the same time for the same tract, the register shall immediately determine by lot, in presence of the parties, which of them shall have preference. He shall file the receipt for moneys produced by the party, and give him a copy of his entry, and, if required, a copy of the description of the tract, and a copy of the plat of the same, or either of them; and it shall be his duty to inform the party applying for any one tract, whether the same has already been entered, purchased, or

paid for, and, at his request, to give him a copy of the entry or entries concerning the same. He shall, three months after the date of each application, if the party shall not have within that time produced to him a receipt of the payment of one fourth part of the purchase-money, including the twentieth part above mentioned, enter, under its proper date, in the said book of entries, that the payment has not been made, and that the land has reverted to the United States, and he shall make a note of the same in the margin of the book, opposite to the original entry. And if the party shall, either at the time of making the original entry, or at any time within three months thereafter, produce a receipt to him for the fourth part of the purchase-money, including the twentieth part aforesaid, he shall file the receipt, make an entry of the same, under its proper date, in the said book of entries, make a note of the same in the margin of the book, opposite to the original entry, and give to the party a certificate, describing the land sold, the sum paid on account, the balance remaining due, the time and times when such balance shall become due, and that if it shall be duly discharged, the purchaser, or his assignee, or other legal representative, shall be entitled to a patent for the said lands; he shall also, upon any subsequent payment being made, and a receipt from the receiver being produced to him, file the original receipt, give a receipt for the same to the party, and enter the same, to the credit of the party, in a book kept for that purpose, in which he shall open an account, in the name of each purchaser, for each section or half section that may be sold, either at public or private sale, and in which he shall charge the party for the whole purchase-money, and give him credit for all his payments; making the proper charges and allowances for interest or discount, as the case may be, according to the provisions of the fourth section of this act; and upon the payment being completed and the account finally settled, he shall give a certificate of the same to the party; and on producing to the Secretary of the Treasury the same final certificate, the President of the United States is hereby authorized to grant a patent for the lands to the said purchaser, his heirs or assigns; and all patents shall be countersigned by the Secretary of State, and recorded in his office.*

SEC. 8. *And be it further enacted,* That the registers of the land offices, respectively, shall also note, on the book of surveys or original plat transmitted to them, every tract which may be sold, by inserting the letter A on the day when the same is applied for, and the letter P on the day when a receipt for one fourth part of the purchase-money is produced to them, and by crossing the said letter A on the day when the land shall revert to the United States, on failure of the payment of one fourth part of the purchase-money within three months after the date of application. And the said book of surveys, or original plat, shall be open, at all times,

The party not producing a receipt of payment of one fourth in three months, the register to make entry accordingly, &c.

The party, at any time within three months after entry, &c., producing a receipt, &c., entry to be made thereof, a certificate given, &c.

Credit to be given for subsequent payments, &c.

Proper charges and allowances for interest or discount, &c.

Upon final settlement, a certificate to be given, &c.

On producing the final certificate, &c., the President to issue a patent, &c.

*Altered. See act of 25th April, 1812, chapter 136.

Registers to note the sales upon the surveys, &c.

Book of surveys, &c. to be open for inspection, &c.

in presence of the register, for the inspection of any individual applying for the same and paying the proper fee.

The registers to transmit to the Secretary of the Treasury, and surveyor general, quarterly accounts of tracts applied for, &c.

SEC. 9. *And be it further enacted*, That it shall be the duty of the registers of the land offices to transmit, quarterly, to the Secretary of the Treasury, and to the surveyor general, an account of the several tracts applied for, of the several tracts for which the payment of one fourth part of the purchase-money has been made, of the several tracts which have reverted to the United States on failure of the said payment; and, also, an account of all the payments of moneys by them entered, according to the receipts produced to them, specifying the sums of money, the names of the persons paying the same, the names of the officers who have received the same, and the tracts for which the same have been paid.

An account of payments entered, &c., to be also transmitted, &c.

Registers not to enter their own applications, &c.

SEC. 10. *And be it further enacted*, That the registers aforesaid shall be precluded from entering on their books any application for lands in their own name, and in the name of any other in trust for them; and if any register shall wish to purchase any tract of land, he may do it by application in writing to the surveyor general, who shall enter the same on books kept for that purpose by him, who shall proceed in respect to such applications, and to any payments made for the same, in the same manner which the registers by this act are directed to follow, in respect to applications made to them for lands by other persons. The registers shall, nevertheless, note on the book of surveys or original plat, the applications and payments thus by them made, and their right to the pre-emption of any tract shall bear date from the day when their application for the same shall have been entered by the surveyor general in his own book. And if any person applying for any tract shall, notwithstanding he shall have received information from the register that the same has already been applied for by the said register, or by any other person, insist to make the application, it shall be the duty of the register to enter the same, noting in the margin that the same tract is already purchased; but upon application of the party, made in writing, and which he shall file, he may and shall, at any future time, enter under its proper date, that the party withdraws his former application, and applies in lieu thereof for any other tract: *Provided, always*, That the party shall never be allowed thus to withdraw his former application, and to apply in lieu thereof for another tract, except when the tract described in his former application shall have been applied for previous to the date of that his former application.

Registers wishing to purchase, may do it by application to the surveyor general, &c.

Registers, nevertheless, to note their applications and payments, &c.

Applications for tracts applied for by others, if insisted on, &c., to be entered by the register, who is to note, &c.

Upon application, &c., the party may withdraw, and apply in lieu, &c., provided, &c.

The Secretary of the Treasury to prescribe further regulations in the manner of keeping books, &c.

SEC. 11. *And be it further enacted*, That the Secretary of the Treasury shall and may prescribe such further regulations, in the manner of keeping books and accounts, by the several officers in this act mentioned, as to him may appear necessary and proper, in order fully to carry into effect the provisions of this act.

SEC. 12. *And be it further enacted*, That the registers of

the land offices, respectively, shall be entitled to receive from the Treasury of the United States one half per cent. on all the moneys expressed in the receipts by them filed and entered, and of which they shall have transmitted an account to the Secretary of the Treasury, as directed by this act; and they shall further be entitled to receive, for their own use, from the respective parties, the following fees for services rendered, that is to say : * for every original application for land, and a copy of the same, for a section three dollars, for a half section two dollars; for every certificate stating that the first fourth part of the purchase-money is paid, twenty-five cents; for every subsequent receipt for moneys paid, twenty-five cents; for the final settlement of account, and giving the final certificate of the same, one dollar; for every copy, either of an application or of the description of any section or half section, or of the plat of the same, or of any entry made on their books, or of any certificate heretofore given by them, twenty-five cents for each; and for any general inspection of the book of surveys, or general plat, made in their presence, twenty-five cents.

Allowance of one half per cent. to registers, &c.

Register's fees payable by the parties, &c.

*See act of March 26, 1804, section 14, chapter 69.

SEC. 13. *And be it further enacted*, That the superintendents of the public sales to be made by virtue of this act, and the superintendents of the sales which have taken place by virtue of the act entitled "An act providing for the sale of the lands of the United States in the Territory northwest of the river Ohio, and above the mouth of Kentucky river," † shall receive five dollars a day for every day whilst engaged in that business; and the accounting officers of the Treasury are hereby authorized to allow a reasonable compensation for books, stationery, and clerk hire, in settling the accounts of the said superintendents.

Superintendents of public sales to receive five dollars per day whilst engaged, &c.

†Chapter 42.

A reasonable allowance to superintendents, for stationery, clerk hire, &c.

SEC. 14. *And be it further enacted*, That the fee to be paid for each patent, for half a section, shall be four dollars, and for every section five dollars, to be accounted for by the receiver of the same. ‡

Fees for patents to be accounted for by the receiver, &c.

‡See act of March 26, 1804, section 15, chapter 69, post.

SEC. 15. *And be it further enacted*, That the lands of the United States reserved for future disposition may be let upon leases by the surveyor general, in sections or half sections, for terms not exceeding seven years, on condition of making such improvements as he shall deem reasonable.

Lands reserved may be let upon leases, &c.

SEC. 16. *And be it further enacted*, That each person who, before the passing of this act, shall have erected, or begun to erect, a grist mill or saw mill upon any of the lands herein directed to be sold, shall be entitled to the pre-emption of the section including such mill, at the rate of two dollars per acre: *Provided*, The person, or his heirs, claiming such right of pre-emption, shall produce to the register of the land office satisfactory evidence that he or they are entitled thereto, and shall be subject to and comply with the regulations and provisions by this act prescribed for other purchasers. (1)

Persons who have erected, or begun to erect, grist or saw mills, entitled to pre-emption, provided, &c.

So much of the act mentioned, &c., repealed.

*Chapter 42.

SEC. 17. *And be it further enacted,* That so much of the "act providing for the sale of the lands of the United States in the Territory northwest of the river Ohio, and above the mouth of Kentucky river,"* as comes within the purview of this act, be, and the same is hereby, repealed.

Approved, May 10, 1800.

[See Part II, Nos. 13, 64, 70, 153, 154, 156, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 173, 174, 175, 184, 187, 188, 194, 195, 196, 202, 210, 211, 217, 227, 228, 231, 240, 251, 297, 298, 299, 300, 311, 313, 318, 322, 324, 342, 348, 357, 358, 395, 416, 420, 440, 486, 612, 623, 738, 729, 732, 733, 735, 736, 739, 739, 740, 742, 743, 744, 745, 746, 747, 748, 758, 759, 760, 777, 781, 785, 794, 801, 802, 803, 804, 805, 806, 807, 809, 810, 819, 824, 835, 838, 900, 905, 908, 912, 944, 948, 962, 980, 996.]

†See act of March 3, 1807, chap. 89.

CHAP. 55.—An act to authorize the issuing certain patents.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Patents may issue on surveys made within the territory reserved by Virginia, &c., on warrants for military services, issued in pursuance of resolutions of the Legislature of that State, &c.

sembled, That it shall be lawful, and the proper officer is hereby authorized, to issue patents on surveys which have been or may be made within the territory reserved by the State of Virginia, northwest of the river Ohio, and being part of her cession to Congress, on warrants for military services, issued in pursuance of any resolution of the Legislature of that State, previous to the passing of this act, in favor of persons who had served in the Virginia line on the continental establishment: *Provided,* That the whole quantity of land for which patents shall issue, by virtue of this act, shall not exceed sixty thousand acres; and that the surveys aforesaid shall be completed and deposited in the office of the Secretary of War on or before the first day of December, one thousand eight hundred and three: *And provided, also,* That this act shall not give any force or validity

Proviso as to the quantity of land to be patented, and the deposits of surveys.

to the entries, locations, or surveys, heretofore made in pursuance of these warrants, so far as such entries, locations, or surveys, interfere in any manner with those of persons claiming the same lands under entries, locations, or surveys, heretofore made in pursuance of warrants granted by the State of Virginia to the officers and soldiers in the line of that State on continental establishment.

Proviso; this act not to give validity to entries, &c. interfering with persons claiming under entries heretofore made, &c.

In case of eviction, warrants may be withdrawn and entered elsewhere, &c.

SEC. 2. *And be it further enacted,* That in every case of interfering claims, under military warrants, to lands within the territory so reserved by the State of Virginia, when either party to such claims shall lose, or be evicted from, the land, every such party shall have a right, and hereby is authorized, to withdraw his, her, or their warrant, respectively, to the amount of such loss or eviction, and to enter, survey, and patent the same, on any vacant land within the

bounds aforesaid, and in the same manner as other warrants may be entered, surveyed, and patented.

Approved, May 13, 1800.

[See Part II, Nos. 2, 37, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 56.—An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia.*

*See act of April 7, 1798, ante, chap. 45.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the surveyor general be, and he is hereby, directed to cause those fractional townships of the sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, and twenty-second, ranges of townships, which join the southern boundary line of the military lands, to be subdivided into half sections, containing three hundred and twenty acres each; and to return a survey and description of the same to the Secretary of the Treasury, on or before the first Monday of December next; and that the said lands be, and they are hereby, set apart and reserved for the purpose of satisfying the claims of persons entitled to lands under the act entitled "An act for the relief of the refugees from the British provinces of Canada and Nova Scotia."†

The surveyor general directed to cause the fractional townships mentioned to be subdivided, and to return a survey, &c. to the Secretary of the Treasury, &c.

The lands to be set apart for satisfying the claims of persons under the act mentioned, &c.

†Ante, chapter 45.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury shall, within thirty days after the survey of lands shall have been returned to him as aforesaid, proceed to determine, by lot, to be drawn in the presence of the Secretaries of State and of War, the priority of location of the persons entitled to land as aforesaid. The persons thus entitled shall severally make their locations on the second Tuesday of January next, and the patents for the lands thus located shall be granted in the manner directed for military lands, without requiring any fee whatever.

The Secretary of the Treasury, &c. to determine, by lot, the priority of location of the persons entitled, &c.

Patents to be granted, &c. without fee, &c.

SEC. 3. *And be it further enacted,* That the following persons claiming lands under the above-mentioned act shall, respectively, be entitled to the following quantities of land,‡ that is to say: Martha Walker, widow of Thomas Walker, John Edgar, P. Francis Cazeau, John Allen, and Seth Harding, respectively, two thousand two hundred and forty acres each; Jonathan Eddy, Colonel James Livingston, and Parker Clark, respectively, one thousand two hundred and eighty acres each; and the heirs of John Dodge, one thousand two hundred and eighty acres; Thomas Faulkner, Edward Faulkner, David Gay, Martin Brooks, Lieutenant Colonel Bradford, Noah Miller, Joshua Lamb, Atwood Fales, John Starr, William How, Ebenezer Gardner, Lewis F. Delesdernier, John McGown, and Jonas C. Minot, respectively, nine hundred and sixty acres each; and the heirs of Simeon Chester, nine hundred and sixty acres; Jacob Vander Heyden, John Livingston, James Crawford, Isaac Danks,

The claimants mentioned entitled to the quantities of land specified, &c.

‡See chapter 65.

Major B. Von Heer, Benjamin Thompson, Joseph Bindon, Joseph Levittre, Lieutenant William Maxwell, John D. Mercier, James Price, Seth Noble, Martha Bogart, relict of Abraham Bogart, and formerly relict of Daniel Tucker, and John Halsted, respectively, six hundred and forty acres each; David Jenks, Ambrose Cole, James Cole, Adam Johnson, the widow and heirs of Colonel Jeremiah Duggan, Daniel Earl, junior, John Paskell, Edward Chinn, Joseph Cone, and John Torreyre, respectively, three hundred and twenty acres each; Samuel Fales, one hundred and sixty acres; which several tracts of land shall, except the last, be located in half sections by the respective claimants.

All the tracts, except the last, to be located in half sections, &c.

Approved, February 18, 1801.

[See Part II, Nos. 157, 734.]

CHAP. 57.—An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the Territory of the United States northwest of the Ohio.*

*The provisions of this act continued, subject to modifications. See act of May 1, 1802, chap. 60, and chapter 64, section 7.

Persons, and their legal representatives, who, before the 1st of January, 1800, had made written contracts with John Cleves Symmes, &c., or who had made payment of money, &c., entitled to a preference in becoming purchasers of the lands so contracted for, at two dollars per acre, &c.

†See chapter

‡See chapter 36.

Payment may be made as directed by the act mentioned, &c.

§See act of March 26, 1804, sections 7, 8, chap. 69, post.

||Ante, chapter 54.

Proviso; no interest on instalments until due.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person or persons, and the legal representative or representatives of any person or persons, who, before the first day of January, in the year of our Lord one thousand eight hundred, had made any contract or contracts, in writing, or by any note or memorandum thereof, in writing, either with John Cleves Symmes, or with any of his associates, or who had made to him or them any payment of money, for the purchase of lands situate between the Miami rivers, within the limits of a survey made by Israel Ludlow, in conformity to an act of Congress of the twelfth of April, one thousand seven hundred and ninety-two,† and not comprehended within the limits of a tract of land conveyed to John Cleves Symmes and his associates, by letters patent, bearing date the thirtieth of September, one thousand seven hundred and ninety-four,‡ in the Territory of the United States northwest of the Ohio, shall be entitled to a preference, in becoming the purchasers from the United States, of all the lands so contracted for, at the price of two dollars per acre, exclusive of the surveying fees and other incidental expenses; and payment may be made therefor to the Treasurer of the United States, or the receiver of public moneys for the lands of the United States at Cincinnati, in like instalments and under the same conditions§ as directed by the act entitled “An act to amend the act entitled ‘An act providing for the sale of the lands of the United States in the Territory of the United States northwest of the Ohio, and above the mouth of Kentucky river:’”|| *Provided, however,* That no interest shall be charged upon any of the instalments until they respectively become payable.

SEC. 2. *And be it further enacted,* That every person

claiming the benefit of the first section of this act shall, on or before the first day of November next, deliver to the receiver of public moneys for the lands of the United States at Cincinnati, a notice, in writing, stating the nature and extent of his claim or contract; and if any person shall neglect to give such notice of his claim or contract, or, having given the same, shall neglect to make application for the purchase thereof, as hereinafter directed, or shall fail in making the first payment before the first of January next, all his right of pre-emption, on the terms aforesaid, shall cease and become void.

Persons claiming the benefit of the 1st section of this act, to deliver a written notice to the receiver at Cincinnati, &c.

Persons neglecting to give notice, &c., forfeit their right of pre-emption, &c.

SEC. 3. *And be it further enacted*, That the aforesaid receiver of public moneys, on being paid the fees hereinafter provided, shall receive every such notice of claim, or statement thereof, and give a receipt therefor, and carefully put and preserve on file every such paper or writing, and lay the same before the commissioners, when met, for settling and adjusting the claims aforesaid.

The receiver, &c., on being paid the fees, shall give notice, and give a receipt, &c.

SEC. 4. *And be it further enacted*, That the aforesaid receiver of public moneys, and two other persons, who shall be appointed by the President of the United States alone, shall be commissioners for the purpose of ascertaining the rights of persons claiming the benefits of this act, who, previous to entering on the duties of their appointment, shall, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer oaths, to wit: "*I, —, do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me by an act of Congress entitled 'An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the Territory of the United States north-west of the Ohio,' to the best of my understanding and ability.*" And it shall be the duty of the said commissioners to meet at Cincinnati, between the first and tenth day of November next, of which meeting three weeks' previous notice shall be given by them, in a public newspaper printed at Cincinnati; and they, or a majority of them, so met, shall not adjourn to any other place, or for a longer time than three days, until they have finally completed the business of their said appointment; and they, or any two of them, shall have power to hear and decide, in a summary manner, all matters respecting all such claims of which notice may have been filed, pursuant to the third section of this act; also, to administer oaths and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity, which determination shall be final; and when it shall appear to them that the claimant is entitled to the right of pre-emption, on the terms aforesaid, they shall give a certificate thereof, stating, as accurately as may be, the quantity and local situation of the lands to which he may be entitled, directed to the register of the land office at Cincinnati, or, when the said register may be a claimant, to

The receiver, and two other persons to be appointed by the President, to be commissioners for ascertaining the rights of claimants, &c.

Commissioners to take an oath.

Form of the oath.

The commissioners to meet at Cincinnati, &c.

The commissioners not to adjourn to another place, &c., until they have finally completed the business, &c.

Powers and duties of the commissioners, &c.

the surveyor general ; copies of which certificates shall be by them recorded, in a book to be provided for that purpose, and deposited, for safe keeping, with the register of the land office.

The register and surveyor general, upon application of persons producing a certificate of the commissioners, and a receipt from the Treasurer, &c., to admit them to become purchasers, &c.

SEC. 5. *And be it further enacted,* That the aforesaid register and surveyor general, respectively, upon application of any person or persons, who shall produce a certificate of the commissioners aforesaid to him directed, before the first day of January next, and shall also produce a receipt from the Treasurer of the United States, or the aforesaid receiver of public moneys, for at least one fourth part of the purchase-money, and also for the payment of three dollars for each half section, or smaller quantity, and shall pay him the fees in like case provided by the act entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United States in the Territory of the United States northwest of the Ohio, and above the mouth of Kentucky river,' " shall admit such person or persons to become a purchaser or purchasers of the land designated in the said certificate, and shall receive the said certificate and preserve it on file, and make an entry of the application in his book kept for the purpose, and, on any of the three last payments being made in advance, he shall allow the purchaser the like discount as is allowed by the fourth clause of the fifth section of the act last above recited ; and on payment in full, and a final settlement had, he shall give his certificate thereof ; upon producing which to the Secretary of the Treasury a patent shall issue, in like manner as is provided by the said act last above recited.

*Ante, chapter 54.

Patent to issue upon certificate of payment in full, &c.

Fees to the receiver, &c. from the claimants, &c.

Compensation to the commissioners from the claimants, &c.

The tract to be surveyed in the manner directed, &c.

So much, &c. to be laid off into sections, &c.

SEC. 6. *And be it further enacted,* That the said receiver of public moneys shall be entitled to have and receive, to his own use, from the respective claimants, the following fees, that is to say : for filing a notice and evidence of claim, or statement thereof, twenty-five cents ; for giving a copy thereof, twelve and a half cents for every one hundred words. And the said commissioners shall, as a full compensation for their services, be entitled, jointly, to have and receive from the respective claimants, that is to say : for every determination, and entering the result in their book, at the rate of three dollars for every section ; for every certificate, and recording the same, at the rate of one dollar for every section.

SEC. 7. *And be it further enacted,* That all the aforesaid tract of country shall be surveyed by the surveyor general, as soon as may be after the first day of September next, in the manner hereinafter directed :

1. So much of the said tract as lies between the northern boundary line and the aforesaid patent of John Cleves Symmes and associates, and Israel Ludlow's southern boundary of the seventh entire range of townships, shall be laid off into sections, agreeably to northwardly and southwardly lines, run under the direction of John Cleves Symmes ; and the

marks thereon made, at the time of running the aforesaid lines, for the corners of sections, shall be established by the surveyor general; and eastwardly and westwardly lines shall be run to intersect the aforesaid northwardly and southwardly lines, in the corresponding marked points.

2. And the residue of the said tract, lying north of the aforesaid southern boundary of the seventh entire range, shall be laid off into sections, according to such uniform rule and method as, in the opinion of the surveyor general, shall best secure the rights and interest of those who are entitled to pre-emption.

The residue of the tract to be laid off into sections, &c., so as best to secure the rights and interests of those entitled to the pre-emption.

3. Such divisions shall be made of sections, according to the claim of such who obtain pre-emption right; and the contents of each and every section, and such division thereof, shall be ascertained, and the surveyor general shall prepare and transmit a plan thereof to the aforesaid register, immediately after the said survey shall be completed, and also forward a copy thereof to the Secretary of the Treasury.

Divisions to be made of sections, according to the claim of those who obtain pre-emption right, &c.

SEC. 8. *And be it further enacted*, That all persons availing themselves of a pre-emption under this act shall make application for a section, or any part or parts of a section or sections, according to the estimated quantity of six hundred and forty acres to a section, and the amount of the excess or deficiency shall be added to or deducted from the last payment, and the purchaser shall make payment for and hold the quantity returned and expressed in the plats, let the quantity be more or less.

Persons availing themselves of a pre-emption under this act, to make application for a section, &c., according to the estimated quantity of 640 acres, &c.

SEC. 9. *And be it further enacted*, That the duties of the surveyor general, of the aforesaid register, and receiver of public moneys, as nearly as may be consistent with this act, shall, respectively, be the same as directed in and by the last-recited act, and the fees and emoluments shall, respectively, be the same as provided in the said act last recited.

The duties of the surveyor general, register, and receiver, to be as directed by the act referred to, &c.

SEC. 10. *And be it further enacted*, That, after completing the surveys agreeably to this act, reserving the lots marked sixteen in each township, or fractional part of a township, in which the same may be, for the purposes expressed in the ordinance of Congress of the twentieth of May, one thousand seven hundred and eighty-five,* the residue of the lands, and so many of the aforesaid pre-emptions as shall become forfeited by reason of failures of payment, shall be sold agreeably to the last-recited act.

After completing the surveys, reserving, &c. the residue of the lands to be sold, agreeably to the act referred to, &c.

*See chapter 14.

SEC. 11. *And be it further enacted*, That this act shall have full operation and effect, any thing in any former law to the contrary notwithstanding.

This act to have full effect, &c.

Approved, March 3, 1801.

[See Part II, Nos. 15, 18, 35, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 178, 180, 737.]

CHAP. 58.—An act in addition to an act entitled “An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.”*

*See original act of 1st March, 1800, ante, chap. 51; and act of 3d March, 1803, chap. 64; and act of 2d March, 1805, chap. 75, section 3.

The holders, &c. of warrants granted, in consideration of military services, or register's certificates, &c., agreeably to the 3d section of the act mentioned, may register and locate the same, as might have been done before the 1st of Jan. 1802.

†Ante, chapter 51.

Provido; persons holding register's certificates for less than 100 acres may locate them on parts of fractional townships, &c.

The Secretary of War to receive claims to lands for military services, &c. suggested to have been lost, &c., until the 1st Jan. 1803; report the same to Congress, with his opinion.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the passing of this act, and until the first day of January next, it shall be lawful for the holders or proprietors of warrants heretofore granted in consideration of military services, or register's certificates of fifty acres or more, granted or hereafter to be granted agreeable to the third section of an act entitled “An act in addition to an act entitled ‘An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,’”† approved the first day of March, one thousand eight hundred, to register and locate the same, in the same manner and under the same restrictions as might have been done before the first day of January last: *Provided*, That persons holding register's certificates for a less quantity than one hundred acres may locate the same on such parts of fractional townships as shall, for that purpose, be divided by the Secretary of the Treasury into lots of fifty acres each.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of War to receive claims to lands for military services, and claims for duplicates of warrants issued from his office, or from the land office of Virginia, or of plats and certificates of surveys founded on such warrants, suggested to have been lost or destroyed, until the first day of January next, and no longer; and immediately thereafter to report the same to Congress, designating the numbers of claims of each description, with his opinion thereon.

Approved, April 26, 1802.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 189, 236, 237.]

CHAP. 59.—An act to enable the people of the eastern division of the Territory northwest of the river Ohio to form a constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States, and for other purposes.‡

‡See the ordinance of 13th July, 1787, art. 5, ch. 20, and the const., art. 4, sect. 3, clause 1.

The inhabitants of the eastern division of the Territory northwest of the Ohio, authorized to form a constitution and State Government, &c.

The State, when formed, to be admitted into the Union, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the inhabitants of the eastern division of the Territory northwest of the river Ohio be, and they are hereby, authorized to form for themselves a constitution and State Government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union upon the same footing with the original States in all respects whatever.

SEC. 2. *And be it further enacted*, That the said State shall consist of all the territory included within the following

boundaries, to wit : bounded on the east by the Pennsylvania line; on the south by the Ohio river, to the mouth of the Great Miami river; on the west by the line drawn due north from the mouth of the Great Miami aforesaid; and on the north by an east and west line drawn through the southerly extreme of Lake Michigan, running east, after intersecting the due north line aforesaid, from the mouth of the Great Miami until it shall intersect Lake Erie, or the territorial line; and thence, with the same, through Lake Erie, to the Pennsylvania line aforesaid: *Provided*, That Congress shall be at liberty, at any time hereafter, either to attach all the territory lying east of the line to be drawn due north from the mouth of the Miami aforesaid to the territorial line, and north of an east and west line drawn through the southerly extreme of Lake Michigan, running east as aforesaid to Lake Erie, to the aforesaid State, or dispose of it otherwise, in conformity to the fifth article of compact between the original States and the people and States to be formed in the Territory northwest of the river Ohio.

Boundaries of the State.

Proviso; Congress at liberty to attach all the territory mentioned to the State, or dispose of it otherwise, &c.

SEC. 3. *And be it further enacted*, That all that part of the Territory of the United States northwest of the river Ohio heretofore included in the eastern division of said Territory, and not included within the boundary herein prescribed for the said State, is, hereby attached to and made a part of the Indiana Territory, from and after the formation of the said State, subject, nevertheless, to be hereafter disposed of by Congress, according to the right reserved in the fifth article of the ordinance aforesaid; and the inhabitants therein shall be entitled to the same privileges and immunities, and subject to the same rules and regulations, in all respects whatever, with all other citizens residing within the Indiana Territory.

That part of the Northwestern Territory heretofore included in the eastern division, and not included within the boundary herein prescribed, &c., to make a part of the Indiana Territory, &c.

[Sections 4, 5, and 6, irrelevant.]

SEC. 7. *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the eastern State of the said Territory, when formed, for their free acceptance or rejection; which, if accepted by the convention, shall be obligatory upon the United States.*

The propositions stated, offered to the convention, &c.

First. That the section number sixteen in every township, and where such section has been sold, granted, or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township, for the use of schools.

*See act of March 3, 1803, chapter 61, post.

1. Section No. 16, in every township, to be granted for schools, &c.

Second. That the six miles reservation, including the salt springs commonly called the Sciota salt springs, the salt springs near the Muskingum river and in the military tract, with the sections of land which include the same, shall be granted to the said State, for the use of the people thereof, the same to be used under such terms, and conditions, and regulations, as the Legislature of the said State shall direct: *Provided*, The said Legislature shall never sell nor lease the same for a longer period than ten years.

2. The six miles reservation, including salt springs, &c., to be granted for the use of the people of the State, &c.

Third. That one twentieth part of the nett proceeds of

The Legislature never to sell nor lease the salt springs for longer than ten years.

3. One twentieth of the net proceeds of lands sold by Congress after the 30th June, 1802, to be applied to the laying out and making public roads, &c.

the lands lying within the said State sold by Congress, from and after the thirtieth day of June next, after deducting all expenses incident to the same, shall be applied to the laying out and making public roads leading from the navigable waters emptying into the Atlantic to the Ohio, to the said State, and through the same; such roads to be laid out under the authority of Congress, with the consent of the several States through which the road shall pass: *Provided always*, (1) That the three foregoing propositions herein offered are on the conditions that the convention of the said State shall provide by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by Congress, from and after the thirtieth day of June next, shall be and remain exempt from any tax laid by order or under authority of the State, whether for State, county, township, or any other purpose whatever, for the term of five years from and after the day of sale.

Approved, April 30, 1802.

(1) Part II, No. 13.

[See Part II, Nos. 75, 89, 98, 198, 199.]

*Original act of 3d March, 1801, ante, chap. 57. See also act of 3d, March, 1803, sect. 7, chap. 65, post, and 26th March, 1804, chap. 69, section 8.

The provisions of the act mentioned continued in force until 1st of March, 1803, subject to modifications.

†Ante, chapter 57.

The provisions of the act referred to extended to persons claiming lands lying within the limits of Ludlow's survey, &c., by purchase, &c. prior to January 1, 1800, &c.

Persons claiming, &c., who have not obtained certificates, &c., to give notice on or before the 1st of November, 1802, &c.

The receiver of public moneys and commissioners to meet at Cincinnati, &c.

CHAP. 60.—An act to extend and continue in force the provisions of an act entitled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the Territory northwest of the Ohio," and for other purposes.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the several provisions of an act entitled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the Territory northwest of the Ohio,"† shall be, and the same are hereby, continued in force until the first day of March next, subject to the modifications contained in this act.

SEC. 2. *And be it further enacted*, That the provisions of the said act shall be, and the same are hereby, extended to all persons claiming lands lying between the Miami rivers and without the limits of Ludlow's survey, by purchase or contract made prior to the first day of January, one thousand eight hundred, with John Cleves Symmes or his associates.

SEC. 3. *And be it further enacted*, That every person claiming lands, as aforesaid, either within or without the limits of Ludlow's survey, and who have not obtained a certificate of the right of pre-emption therefor, shall, on or before the first day of November next, give notice of the nature and extent of his claim, in manner prescribed by the second section of the said act. And the receiver of public moneys and commissioners appointed under the fourth section of the said act shall meet at Cincinnati on the second

Monday of November next, they having given four weeks' previous notice of such meeting in a public newspaper printed at Cincinnati, and shall then and there proceed to hear, and finally decide upon, all claims of which notice may have been given as aforesaid, and shall, in all matters relative thereto, govern themselves by the provisions of the said act. Vacancies in the said board of commissioners may be filled by the President of the United States alone. And the duties, powers, and emoluments, of the said commissioners, receiver of public moneys, and register of the land office at Cincinnati, and surveyor general, as prescribed by the said act, shall be, and the same are hereby, continued.

Vacancies in the board may be filled by the President alone.

SEC. 4. *And be it further enacted*, That every person who may have obtained, or who shall hereafter obtain, as aforesaid, a certificate of a right of pre-emption from the said commissioners, shall be allowed until the first day of January next to make the first payment required for the lands described in such certificate, and shall, in all other respects relative thereto, conform to the several provisions of the said act.

Persons obtaining certificates of rights of pre-emption, &c., allowed until the 1st of January, 1808, to make the first payment, &c.

SEC. 5. *And be it further enacted*, That it shall and may be lawful for the Secretary of the Treasury to cause to be viewed, marked, and opened, such roads within the Territory northwest of the Ohio, as, in his opinion, will best serve to promote the sales of the public lands in future: *Provided*, That the whole sum to be expended on such roads shall not exceed six thousand dollars, and that the same shall be paid out of the moneys paid by purchasers of public lands on account of surveying expenses.

The Secretary of the Treasury may cause such roads to be opened in the Northwestern Territory as will best promote the sale of public lands.

Proviso; the whole sum for roads not to exceed \$6,000.

SEC. 6. *And be it further enacted*, That all the lands around Vincennes, on the Wabash, in the Indiana Territory, the Indian title to which hath been extinguished, shall be surveyed and laid off in the manner prescribed by the third section of an act entitled "An act to amend an act entitled 'An act providing for the sales of the lands of the United States in the Territory northwest of the Ohio, and above the mouth of Kentucky river,'"* under directions from the Secretary of the Treasury, and by such person or persons as the President of the United States alone shall appoint for that purpose: *Provided*, That the whole expense of surveying and marking the lines shall not exceed four dollars for every mile that shall be actually run, surveyed, and marked. And two plats of the lands aforesaid shall be prepared by the person or persons who may survey the same, who shall also designate thereon the bounds of the lands of individuals held under reservations of the State of Virginia, or under the laws of the United States: one of the said plats shall be returned to the office of the Secretary of the Treasury, and the other shall be deposited with the secretary of the Indiana Territory.

The lands around Vincennes, &c. to be surveyed, &c., according to the 3d section of the act mentioned, &c.

*Ante, chap. 54.

Proviso; the whole expense of surveying, &c. not to exceed \$4 for every mile, &c.

Two plats of the land to be prepared by the person who surveys it, &c.

One plat to the Treasury Department, the other to the secretary of Indiana.

SEC. 7. *And be it further enacted*, That in all cases where any section or fractional section of land lying within the seven ranges of townships has been sold prior to the tenth

In all cases where any section, &c. of land, within the seven ranges, &c., has been sold prior to the 10th of May, 1820, &c., the lines to be run under the direction of the Secretary of the Treasury, &c.

*Ante, chap. 54.

The Secretary of the Treasury, when lines interfere with the claim of a purchaser under the act referred to, to permit him, &c. to withdraw, and apply, in lieu, &c.

day of May, one thousand eight hundred, under the authority of the United States, the lines of such section or fractional section shall be run under the direction of the Secretary of the Treasury, in the manner most consistent with the supposed boundaries of the same at the time of the sale, any thing in the act of the tenth of May, one thousand eight hundred, to the contrary notwithstanding.* And it shall be lawful for the Secretary of the Treasury, whenever lines thus run shall interfere with the claim of a purchaser of public lands under the last-mentioned act, to permit such purchaser, if he shall desire it, at any time within six months after such lines thus interfering with his claim shall have been run, to withdraw his former application, and to apply, in lieu thereof, for any other vacant section.

Approved, May 1, 1802.

[See Part II, Nos. 15, 35, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 175, 395, 737.]

CHAP. 61.—An act in addition to, and in modification of, the propositions contained in the act entitled “An act to enable the people of the eastern division of the Territory northwest of the river Ohio to form a constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States, and for other purposes.”†

†See original act, of 30th April, 1802, ante, chap. 59.

The tracts of land described, in the State of Ohio, appropriated for the use of schools in that State.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following several tracts of land in the State of Ohio be, and the same are hereby, appropriated for the use of schools in that State, and shall, together with all the tracts of land heretofore appropriated for that purpose, be vested in the Legislature of that State, in trust for the use aforesaid, and for no other use, intent, or purpose, whatever, that is to say:

First. The following quarter townships in that tract commonly called the “United States military tract,” for the use of schools within the same, viz: the first quarter of the third township in the first range, the first quarter of the first township in the fourth range, the fourth quarter of the first township and the third quarter of the fifth township in the fifth range, the second quarter of the third township in the sixth range, the fourth quarter of the second township in the seventh range, the third quarter of the third township in the eighth range, the first quarter of the first township and the first quarter of the third township in the ninth range, the third of the first township in the tenth range, the first and fourth quarters of the third township in the eleventh range, the fourth quarter of the fourth township in the twelfth range, the second and third quarters of the fourth township in the fifteenth range, the third quarter of the seventh township in the sixteenth range, and the first quarter of the sixth township and third quarter of the seventh township in the

First tract; in the United States military tract.

eighteenth range, being the one thirty-sixth part of the estimated whole amount of lands within that tract.

Secondly. The following quarter townships in the same tract for the use of schools in that tract commonly called the Connecticut Reserve, viz: the third quarter of the ninth township and the fourth quarter of the tenth township in the first range, the first and second quarters of the ninth township in the second range, the second and third quarters of the ninth township in the third range, the first quarter of the ninth township and the fourth quarter of the tenth township in the fourth range, the first quarter of the ninth township in the fifth range, the first and fourth quarters of the ninth township in the sixth range, the first and third quarters of the ninth township in the seventh range, and the fourth quarter of the ninth township in the eighth range.

Second tract: in the Connecticut Reserve.

Thirdly. So much of that tract commonly called the "Virginia military reservation,"* as will amount to one thirty-sixth part of the whole tract, for the use of schools within the same, and to be selected by the Legislature of the State of Ohio, out of the unlocated lands in that tract, after the warrants issued from the State of Virginia shall have been satisfied; it being, however, understood that the donation is not to exceed the whole amount of the above-mentioned residue of such unlocated lands, even if it shall fall short of one thirty-sixth part of the said tract.

Third tract: in the Virginia military reservation.

*See act of March 2, 1807, section 3, chap. 74.

It being understood, &c.

Fourthly. One thirty-sixth part of all the lands of the United States lying in the State of Ohio, to which the Indian title has not been extinguished, which may hereafter be purchased of the Indian tribes by the United States, which thirty-sixth part shall consist of the section number sixteen in each township, if the said land shall be surveyed in townships of six miles square, and shall, if the lands be surveyed in a different manner, be designated by lots.

Fourth tract: one thirty-sixth part of all the lands in the State of Ohio, to which the Indian title has not been extinguished, &c.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of the receivers of public moneys of the several land offices shall be settled, pay three per cent. of the nett proceeds of the lands of the United States lying within the State of Ohio, which, since the thirtieth day of June last, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be authorized by the Legislature of the said State to receive the same; which sums, thus paid, shall be applied to the laying out, opening, and making roads, within the said State, and to no other purpose whatever; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury by such officer of the State as the Legislature thereof shall direct; and it is hereby declared that the payments thus to be made, as well as the several appropriations for schools made by the preceding section, are in conformity with, and in consideration of, the conditions agreed on by the State of

The Secretary of the Treasury, from time to time, &c., to pay three per cent. of the nett proceeds of the lands, &c. to a person authorized by the Legislature of Ohio to receive it, to be applied to the laying out roads, &c.

The payments and appropriations declared to be in consideration of the conditions agreed on, &c.

Ohio, by the ordinance of the convention of the said State bearing date the twenty-ninth day of November last.

The sections of land promised for schools, in lieu, &c. to be selected by the Secretary of the Treasury, &c.

SEC. 3. *And be it further enacted*, That the sections of land heretofore promised for the use of schools, in lieu of such of the sections number sixteen as have been otherwise disposed of, shall be selected by the Secretary of the Treasury out of the unappropriated reserved sections in the most contiguous townships.

One complete township, &c., so as to make in the whole thirty-six sections, to be located, under the direction of the Legislature of Ohio, &c., and vested, &c. for establishing an academy, &c.

SEC. 4. *And be it further enacted*, That one complete township in the State of Ohio and district of Cincinnati, or so much of any one complete township within the same as may then remain unsold, together with as many adjoining sections as shall have been sold in the said township, so as to make in the whole thirty-six sections, to be located under the direction of the Legislature of the said State, on or before the first day of October next, with the register of the land office of Cincinnati, be, and the same is hereby, vested in the Legislature of the State of Ohio for the purpose of establishing an academy, in lieu of the township already granted for the same purpose by virtue of the act entitled "An act authorizing the grant and conveyance of certain lands to John Cleves Symmes and his associates:"* *Provided, however*, That the same shall revert to the United States if, within five years after the passing of this act, a township shall have been secured for the said purpose within the boundary of the patent, granted by virtue of the above-mentioned act, to John Cleves Symmes and his associates.

*Chapter 38.

Proviso: the township to revert, &c., if, &c.

The Attorney General authorized to locate, and accept from John Cleves Symmes, &c., a complete township, &c. for an academy, &c., and in case, &c., to compel an execution of the trust.

SEC. 5. *And be it further enacted*, That the Attorney General for the time being be directed and authorized to locate and accept, from the said John Cleves Symmes and his associates, any one complete township within the boundaries of the said patent, so as to secure the same for the purpose of establishing an academy, in conformity to the provisions of the said patent, and, in case of non-compliance, to take, or direct to be taken, such measures as will compel an execution of the trust: *Provided, however*, That John Cleves Symmes and his associates shall be released from the said trust, and the said township shall vest in them, or any of them, in fee simple, upon payment into the Treasury of the United States of fifteen thousand three hundred and sixty dollars, with interest from the date of the above-mentioned patent to the day of such payment.

Proviso: John C. Symmes, &c. to be released on payment, &c.

Approved, March 3, 1803.

[See Part II, Nos. 35, 105, 198, 199, 437, 465, 466.]

1See supplementary act of March 27, 1804, chap. 71.

CHAP. 62.—An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee. †

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

sembled, That any person or persons, and the legal representatives of any person or persons, who were resident in the Mississippi Territory on the 27th day of October, in the year one thousand seven hundred and ninety-five, and who had, prior to that day, obtained either from the British Government of West Florida, or from the Spanish Government, any warrant or order of survey for lands lying within the said Territory, to which the Indian title had been extinguished, and which were on that day actually inhabited and cultivated by such person or persons, or for his or their use, shall be confirmed in their claims to such lands, in the same manner as if their titles had been completed: *Provided, however,* That no such incomplete title shall be confirmed, unless the person in whose name such warrant or order of survey had been granted was, at the time of its date, either the head of a family or above the age of twenty-one years.

SEC. 2. And be it further enacted, That to every person, or to the legal representative or representatives of every person, who, being either the head of a family or of twenty-one years of age, did, on that day of the year seventeen hundred and ninety-seven when the Mississippi Territory was finally evacuated by the Spanish troops, actually inhabit and cultivate a tract of land in the said Territory, not claimed by virtue either of the preceding section or of any British grant, or of the articles of agreement and cession between the United States and the State of Georgia, the said tract of land, thus inhabited and cultivated, shall be granted: *Provided, however,* That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres: *And provided, also,* That this donation shall not be made to any person who claims any other tract of land in the said Territory by virtue of any British or Spanish grant or order of survey.

SEC. 3. And be it further enacted, That every person, and the legal representatives of every person, who, being the head of a family or above the age of twenty-one years, doth, at the time of passing this act, inhabit and cultivate a tract of land in the said Territory not claimed by virtue of the preceding sections of this act, or of any British grant, or of the articles of agreement and cession above mentioned, shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, at the price at which the other lands of the United States in the said Territory are by this act directed to be sold; and payment may be made therefor in the same manner and under the same conditions as directed by this act for such other lands: *Provided, however,* That no interest shall be charged upon any of the instalments until they respectively become payable.

SEC. 4. And be it further enacted, That, for the disposal of the lands of the United States within the Mississippi Territory, two land offices shall be established in the same: one at such place in the county of Adams as shall be designated

Persons, and their legal representatives, resident in the Mississippi Territory on the 27th October, 1795, who had previously obtained British or Spanish warrants, &c. for lands lying in that Territory, &c., confirmed in their claims.

Proviso: no title to be confirmed, unless the person, &c. was the head of a family, or, &c.

Tracts of land, not claimed, &c., to be granted to persons, &c. inhabiting and cultivating on the day mentioned, if heads of families, or 21 years of age, &c.

Proviso: not more than one tract to one person, of 640 acres.

Proviso: this donation not to be made to persons claiming by virtue of British or Spanish grants.

Persons, &c. being heads of families, or above 21, &c., inhabiting and cultivating tracts not claimed, &c., entitled to a preference in purchasing, &c.

Proviso: no interest on instalments until payable.

Two land offices to be established in the Mississippi Territory, &c.

by the President of the United States, for the lands lying west of "Pearl river," sometimes called "Half Way river;" and one at such place in the county of Washington as shall be designated by the President of the United States, for the lands lying east of Pearl river: and for each of the said offices a register and receiver of public moneys shall be appointed, who shall give security in the same manner, and whose duties and authority shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and the receivers of public moneys in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.

A register and receiver of public moneys to be appointed for each office, &c.

Register and receiver, &c. to give security; their duties and authority the same as by law provided, &c.

Persons claiming lands by virtue of British grants, of the three first sections of this act, or of the articles, &c. between the United States and Georgia, to deliver, before 31st of March, 1804, to the register, notice of claims, &c.

*Sec sect. 1, chap. 71.

The register to record grants, orders of survey, &c. delivered by claimants, &c.

Persons neglecting to deliver notice, &c., their rights to become void, and barred, &c.

Grants, orders of survey, &c. not recorded, not to be admitted as evidence, &c. against grants deriv'd from the United States.

†See sect. 12, chap. 71.

The register in Adams county, and two other persons, &c. for the lands lying west, and the register of Washington county, with two other persons, &c. for the lands lying east of Pearl river, to be commissioners for ascertaining the rights of claimants, &c.

SEC. 5. *And be it further enacted*, That every person claiming lands by virtue of any British grant, or of the three first sections of this act, or of the articles of agreement and cession between the United States and the State of Georgia, shall, before the last day of March, in the year one thousand eight hundred and four, deliver to the register of the land office, within whose district the land may be, a notice, in writing, stating the nature and extent of his claims, together with a plot of the tract or tracts claimed;* and shall also, on or before that day, deliver to the said register, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim, and the same shall be recorded by the said register in books to be kept for that purpose, on receiving from the parties at the rate of twelve and a half cents for every hundred words contained in such written evidence of their claim; and if such person shall neglect to deliver such notice, in writing, of his claim, together with a plot as aforesaid, or cause to be recorded such written evidence of the same, all his right, so far as the same is derived from the above-mentioned articles of agreement, or from the three first sections of this act, shall become void, and forever thereafter be barred; nor shall any grant, order of survey, deed, conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence in any court in the United States against any grant derived from the United States.†

SEC. 6. *And be it further enacted*, That the register of the land office in Adams county, and two other persons, who shall be appointed by the President of the United States alone, shall, for the lands lying west of Pearl river, and the register of the land office of Washington county, together with two other persons, who shall be appointed by the President of the United States alone, shall, for the lands lying east of Pearl river, respectively, be commissioners, for the purpose of ascertaining the rights of persons claiming the benefit of the articles of agreement and cession between the United States and the State of Georgia, or of the three first sec-

tions of this act. And the said commissioners shall, previous to entering on the duties of their appointment, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer the same : “ *I, ———, do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me by an act of Congress entitled ‘An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee,’ to the best of my skill and judgment.*” And it shall be the duty of the said commissioners to meet in the county of Adams and in Washington county aforesaid, respectively, on or before the first day of December next, and they shall not adjourn to any other place, or for a longer time than three days, until the first day of April, one thousand eight hundred and four, and until they shall have completed the business of their appointment.* And each board, or a majority of each board, shall, in their respective districts, have power to hear and decide, in a summary manner, all matters respecting such claims, also to administer oaths and examine witnesses and such other testimony as may be adduced, and to determine thereon according to justice and equity ; which determination, so far as relates to any rights derived from the articles of agreement above mentioned, or from the three first sections of this act, shall be final ; and for the safe keeping of the papers and evidences produced, and recording their proceedings, the said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter in a book, to be kept for that purpose, perfect and correct minutes of the proceedings, decisions, meetings, and adjournments, of the boards, together with the evidence on which such decisions are made ; which books and papers, on the dissolution of the boards, shall be transmitted to and lodged in the office of the Secretary of State ; and on or before such clerk’s entering on the duties of his office, he shall take and subscribe the following oath or affirmation, to wit : “ *I, ———, do solemnly swear (or affirm, as the case may be) that I will truly and faithfully enter and record all minutes, proceedings, and decisions, of the board of commissioners for the county of ———, appointed under and by virtue of an act of the United States entitled ‘An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee,’ and well and faithfully do and perform all other acts and things in the said act pointed out as the duty of a clerk of the said board ;*” which oath shall be entered on the minutes of the board ;† and when it shall appear to them that the claimant is entitled to a tract of land under the articles of agreement and cession with Georgia aforesaid, in virtue of a British or Spanish grant, legally and fully executed, they shall give a certificate thereof, describing the tract of land and the grant, and stating that the claimant is confirmed in his title thereto by virtue of the said ar-

The commissioners to take and subscribe an oath.

Form of the oath.

The commissioners to meet in the county of Adams, and in Washington county, &c., and not to adjourn to any other place, nor for a longer time than three days, &c., until they have completed the business of their appointment.

*See sec. 2, ch. 71.

A majority of each board empowered to hear and decide, in a summary manner, &c.

Determination of the board final, so far, &c.

Each board empowered to appoint a clerk, &c.

Books and papers, on the dissolution of the boards, to be lodged in the office of the Secretary of State.

Clerks to take an oath.

Form of the oath.

Oath to be entered on the minutes, &c.

†See sec. 5, chap. 71, post.

When it appears that the claimant is entitled in virtue of a British or Spanish grant, the board to give a certificate, &c.

This certificate, when recorded, &c., to amount to a relinquishment on the part of the United States, &c.

When it appears that the claimant is entitled under the Bourbon act, &c., the commissioners to give a certificate, stating the circumstances, &c.

The certificate, being duly entered, &c. on or before the 1st of January, 1806, to entitle the party to a patent, &c.

When the claimant is entitled by virtue of the 3d sect. of this act, the commissioners to give a certificate, &c., and the party entitled to become a purchaser, &c.

Provido; if he produces a receipt, &c.

On paym't in full, the party entitled to a patent, &c.

If the party neglects to enter his certificate, &c., his right of pre-emption to cease.

Provido; whenever a tract, to which any person might be entitled by virtue of the three first sections of this act, is claimed by the holder of a British patent, &c., the commissioners to state the existence of the adverse claims, &c., and the party not entitled to a patent without a judicial decision, &c.

articles; which certificate, being recorded by the register of the land office, whose duty it shall be to record the same, in a book to be kept by him for that purpose, shall amount to a relinquishment forever on the part of the United States, to any claim whatever to such tract of land: and when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of a settlement under the Bourbon act of Georgia, recognised in the said articles of agreement and cession, or of either of the two first sections of this act, they shall give a certificate thereof, stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land by virtue of this act; which certificate, being duly entered with the register of the land office, on or before the first day of January, eighteen hundred and five, shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by this act for the other lands of the United States, without the party paying any thing therefor, except the surveying expenses and the fees of office. And when it shall appear to the said commissioners that the claimant is entitled to a right of pre-emption by virtue of the third section of this act, they shall give a certificate thereof, directed to the register of the land office; which certificate, being duly entered with the register of the land office, on or before the first day of January, eighteen hundred and five, shall entitle the party to become a purchaser for such tract of land: *Provided*, That he shall, prior to the first day of January, eighteen hundred and six, also produce a receipt from the Treasurer of the United States, or from the receiver of public moneys, for at least one fourth part of the purchase-money, and also for the payment of the surveying expenses; and the party shall, upon payment in full of the purchase-money, on which, if any of the three last payments shall be made in advance, he shall be allowed the same discount allowed in similar cases by this act, be entitled to receive a patent, which shall issue in like manner, and on payment of the same fees as are provided by this act for the other lands of the United States; but if such person shall neglect to enter his certificate on or before the first day of January, eighteen hundred and five, or to make such first payment as above provided, his right of pre-emption shall cease and become void: *Provided, also, and it is further enacted*, That whenever a tract of land to which any person might be entitled by virtue of the three first sections of this act shall also be claimed by the holder of a British patent, legally and fully executed, and duly recorded in conformity to the provisions of this act, who is not confirmed in his claim by the articles of agreement above mentioned, the commissioners shall, in the certificate granted to the person claiming the land by virtue of this act, state the existence of the adverse claims, in which case the party shall not be entitled to a patent, unless he shall have obtained in his favor a judicial decision in a court having jurisdiction therein: and

for every certificate so granted by the boards, respectively, the clerk of the board granting the same shall be entitled to demand and receive, of the party to whom the same is granted, the sum of two dollars.

The clerk entitled to two dollars for every certificate.

SEC. 7. *And be it further enacted*, That the commissioners aforesaid shall, on or before the first day of December, one thousand eight hundred and four, make to the Secretary of the Treasury a full report of all the British grants legally and fully executed, which have been duly recorded in conformity to the provisions of this act, the title of which is not confirmed to the holders thereof by the articles of agreement above mentioned, stating the present situation of the lands, the date of such grants, the conditions annexed thereto, and how far the same have been fulfilled, together with such other remarks thereon as they may think proper; which report shall be laid before Congress at their next session, and the lands contained in such grants shall not be otherwise disposed of until the end of one year after that time.*

The commissioners, on or before the 1st Dec. 1804, to make to the Secretary of the Treasury a full report of all British grants, &c., the title of which is not confirmed by the articles of agreement, &c.

The report to be laid before Congress, &c.

*See secs. 3 and 9, chap. 71, post.

SEC. 8. *And be it further enacted*, That so much of the five millions of acres reserved for that purpose by the articles of agreement above mentioned, as may be necessary to satisfy the claims, not confirmed by that agreement, which are embraced by the two first sections of this act, or which may be derived from British grants for lands which have not been regranted by the Spanish Government, be, and the same is hereby, appropriated for that purpose; and so much of the residue of the said five millions of acres, or of the nett proceeds thereof, as may be necessary for that purpose, shall be, and is hereby, appropriated for the purpose of satisfying, quieting, and compensating, for such other claims to the lands of the United States south of the State of Tennessee, not recognised in the above-mentioned articles of agreement, and which are derived from any act or pretended act of the State of Georgia, which Congress may hereafter think fit to provide for: *Provided, however*, That no other claims shall be embraced by this appropriation, but those the evidence of which shall have, on or before the first day of January next, been exhibited by the claimants to the Secretary of State, and recorded in books to be kept in his office for that purpose, at the expense of the party exhibiting the same, who shall pay to the person employed by the Secretary of State for recording the same, at the rate of twelve and a half cents for every hundred words contained in each document thus recorded; nor shall any grant, deed, conveyance, or other written evidence of any claim to the said lands, derived, or pretended to be derived, from the State of Georgia, and not recognised by the above-mentioned articles of agreement, ever after be admitted or considered as evidence in any of the courts of the United States, unless it shall have been exhibited and recorded in the manner and within the time above mentioned: *And provided, also*, That nothing herein contained shall be construed to recognise or affect

So much of the five millions of acres reserved by the articles of agreement, as may be necessary, &c., appropriated for the purpose mentioned.

The residue of the five millions of acres, &c., appropriated for satisfying other claims, &c.

proviso; no other claims embraced, &c. but those the evidence of which shall have, on or before the 1st Jan. 1804, been exhibited to the Secretary of State, recorded, &c.

No grant, deed, conveyance, &c., derived, &c. from the State of Georgia, to be ever after admitted, unless exhibited and recorded, &c.

Proviso: nothing herein to recognize or affect claims, &c., and no certificate to be granted for lands lying east of the Tombigby, &c.

*See sect. 8, chap. 71, post.

†See page 347, vol. 1, Laws U. S.

The Secretary of State, Secretary of the Treasury, and Attorney General, authorized to receive propositions of compromise, &c., and report thereon to Congress.

‡See chap. 161.

A surveyor of the lands of the United States south of Tennessee to be appointed, his duties, &c.

Lands for which certificates are granted, in pursuance of this act, to be surveyed as soon as may be, &c.

The surveyor to cause all the other lands of the United States in the Mississippi Territory, to which the Indian title has been extinguished, to be surveyed, &c., transmit plats, &c.

Proviso: the whole expense of surveying, &c., not to exceed \$4 for every mile, &c.

Proviso: the expense of surveying those tracts to which the title is confirmed, &c., to be paid by the parties claiming, &c.

the claims of any person or persons to any of the lands above mentioned: *And provided, also*, That no certificate shall be granted for lands lying east of the Tombigby river,* nor for lands situated without the boundary lines established by treaty between the United States and the Choctaws, made the seventeenth day of October, in the year eighteen hundred and two.†

SEC. 9. *And be it further enacted*, That the Secretary of State, the Secretary of the Treasury, and the Attorney General, for the time being, be, and are hereby, authorized and empowered to receive such propositions of compromise and settlement as may be offered by the several companies or persons claiming public lands in the territory of the United States lying south of the State of Tennessee, and west of the State of Georgia; and report their opinion thereon to Congress at their next session.‡

SEC. 10. *And be it further enacted*, That a surveyor of the lands of the United States south of the State of Tennessee shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause the lands above mentioned, to which the titles of the Indian tribes have been extinguished, to be surveyed and divided in the manner hereafter directed, and to do and perform all such other acts, in relation to the said lands, as the surveyor general is authorized and directed to do in relation to the lands lying northwest of the river Ohio, and above the mouth of the river Kentucky.

SEC. 11. *And be it further enacted*, That the lands for which certificates, of any description whatever, shall have been granted by the commissioners in pursuance of the provisions of this act, shall, as soon as may be, be surveyed, under the direction of the surveyor of the lands of the United States above mentioned, in conformity to the true tenor and intent of such certificates; and the said surveyor shall also cause all the other lands of the United States, in the Mississippi Territory, to which the Indian title has been extinguished, to be surveyed, as far as practicable, into townships, and subdivided into half sections, in the manner provided for the surveying of the lands of the United States situate northwest of the river Ohio, and above the mouth of the Kentucky river, and shall transmit to the registers of the land offices, respectively, general and particular plots of all the lands surveyed as aforesaid, and shall also forward copies of the said plots to the Secretary of the Treasury; and he shall, also, with the approbation of the said Secretary, fix the compensation of the deputy surveyors, chain-carriers, and axe-men: *Provided*, That the whole expense of surveying and marking the lines shall not exceed four dollars for every mile that shall be actually run, surveyed, and marked: *And provided*, That the expense of surveying those tracts of land to which the title of the claimants is confirmed by the articles of agreement, or by the two

first sections of this act, and those tracts claimed under British grants, a return of which is to be made to Congress, shall not be advanced by the United States, but shall be paid to the deputy surveyor by the parties claiming the same ;* and that, in relation to all the land sold by the United States, the purchaser shall make the same payment for surveying expenses which is directed by law to be made for lands sold north of the river Ohio.†

*See sect. 6, chap. 71, post.

Expenses of surveying land sold, &c.

†See ante, chapter 54.

SEC. 12. *And be it further enacted*, That all the lands aforesaid not otherwise disposed of, or excepted by virtue of the preceding sections of this act, shall, with the exception of the section number sixteen, which shall be reserved in each township for the support of schools within the same, with the exception also of thirty-six sections, to be located in one body, by the Secretary of the Treasury, for the use of Jefferson college, and also with the exception of such town lots, not exceeding two, in the town of Natchez, and of such an out-lot, adjoining the same, not exceeding thirty acres, as may be the property of the United States, to be located by the Governor of the Mississippi Territory, for the use of the said college,‡ be offered for sale to the highest bidder, under the direction of the Governor of the Mississippi Territory, of the surveyor of the lands of the United States above mentioned, and of the register of the land office at the places, respectively, where the land offices are kept, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open at each place for three weeks, and no longer ; and all lands, other than the section number sixteen, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the registers of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as is provided by law for the sale of the lands of the United States north of the river Ohio, by an act entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United States in the Territory northwest of the Ohio, and above the mouth of Kentucky river :'"§ *Provided, always*, That the lands which may be sold at public sale by virtue of this act shall not be sold for less than two dollars per acre ; and shall, in every other respect, be sold on the same terms and conditions as was provided for the lands sold at public sale by the last-recited act. And patents shall be obtained for all lands granted or sold in the Mississippi Territory, in the same manner, and on payment of the same fees, as is provided for lands sold north of the river Ohio, by the said last-recited act ; *Provided, however*, That evidences of the public debt of the United States shall not be received in payment for the purchase of said lands.(1)

All the lands, &c., with the exceptions mentioned, to be offered for sale to the highest bidder, &c., at the places where the land offices are kept, &c.

‡See sect. 11, chap. 71, post.

The sales to remain open, at each place, for three weeks ; and lands remaining unsold, &c., may be disposed of at private sale, &c.

§Ante, chap. 54. *Provido* ; the lands at public sale not to be sold for less than \$2 per acre, &c.

Provido ; evidences of the public debt not to be received in payment.

(1) See Part II, No. 54.

The registers and receivers appointed in pursuance of this act, to receive the same fees, &c., as the registers and receivers north of the Ohio; and the registers 25 cents, &c.

The surveyor to receive \$1,500 per annum, and allowed two clerks, &c.

*See sect. 6, chap. 71, post.

The commissioners to receive two thousand dollars each for the whole of their services, &c., except, &c.

†See sect. 5, chap. 71, post.

Clerks of boards to receive \$750 each.

The President empowered to appoint the surveyor, registers, and receivers, in the recess, &c.

Not exceeding \$20,000 appropriated for carrying this act into effect, &c.

The nett proceeds of the lands, after deducting expenses, appropriated, in the first place, towards paying Georgia, &c.

†See appendix No. 3.

The Secretary of the Treasury directed to pay accordingly, &c.

All navigable rivers within the territory &c. south of Tennessee, to remain public highways.

SEC. 13. *And be it further enacted,* That the registers of the land offices, and the receivers of public moneys, appointed in pursuance of this act, shall receive the same fees and compensation as the registers and receivers of the land offices north of the river Ohio, and the registers shall also be entitled to receive twenty-five cents for entering each certificate granted by the commissioners above mentioned. The surveyor of the lands of the United States, appointed in pursuance of this act, shall receive an annual compensation of fifteen hundred dollars,* and shall be allowed not exceeding two clerks, whose whole compensation shall not exceed one thousand dollars per annum. The commissioners appointed to ascertain the rights of persons claiming the benefit of the articles of agreement above mentioned, and of this act, shall receive, each, a compensation of two thousand dollars, for the whole of their services, the registers of the land offices excepted, who shall receive only five hundred dollars, each, for their services as commissioners;† the clerks of the boards of commissioners, a compensation not exceeding seven hundred and fifty dollars each; and the superintendents of the public sales shall receive six dollars each, for each day's attendance on the said sales.

SEC. 14. *And be it further enacted,* That the President of the United States shall have full power to appoint and commission the surveyor, registers of the land offices, and receivers of public moneys, above mentioned, in the recess of Congress, and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

SEC. 15. *And be it further enacted,* That a sum, not exceeding twenty thousand dollars, be, and the same is hereby, appropriated for the purpose of carrying this act into effect; which sum shall be paid out of any unappropriated moneys in the Treasury.

SEC. 16. *And be it further enacted,* That the nett proceeds of the lands which may be sold by virtue of this act, after deducting the surveying expenses and other expenses incident to the sale thereof, shall be, and the same are hereby, appropriated, in the first place, towards paying to the State of Georgia a sum of one million two hundred and fifty thousand dollars; in pursuance of the articles of agreement and cession entered into between the United States and that State;‡ and the Secretary of the Treasury is hereby authorized and directed to pay, accordingly, and from time to time, as the same shall be received in the Treasury of the United States, so much of the said nett proceeds as will amount to the said sum of one million two hundred and fifty thousand dollars.

SEC. 17. *And be it further enacted,* That all navigable rivers within the territory of the United States south of the State of Tennessee shall be deemed to be and remain public highways.

Approved, March 3, 1803.

[See Part II, Nos. 13, 15, 19, 20, 44, 56, 57, 58, 60, 64, 72, 77, 85, 92, 109, 212, 249, 250, 260, 395, 398, 612, 613, 614, 615, 618, 623, 626, 635, 655, 656, 670, 671, 672, 673, 674, 676, 697, 699, 700, 702, 706, 707, 714, 715, 741, 742, 744, 758, 759, 760, 768, 769, 773, 801, 802, 803, 904, 805, 806, 819, 823, 824, 843, 844, 846, 848, 849, 852, 854, 858, 859, 860, 861, 866, 869, 874, 877, 879, 890, 881, 882, 883, 885, 886, 887, 890, 890, 893, 898, 903, 904, 914, 915, 918, 924, 929, 940, 949, 953, 955.]

CHAP. 63.—An act concerning the salt springs on the waters of the Wabash river.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of procuring articles necessary to the establishment of salt works at the springs near the Wabash river, which have been ceded to the United States by certain Indian tribes, the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any unappropriated money in the Treasury, and under the direction of the President of the United States, who is hereby authorized to cause the said springs to be worked at the expense of the United States; or, if he shall deem it more proper, to lease the same for a term not exceeding three years, on such conditions as will insure the working the same most extensively, and to the most advantage to the United States.*

Approved, March 3, 1803.

[See Part II, No. 96.]

CHAP. 64.—An act to revive and continue in force "An act in addition to an act entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,'"† and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of "An act in addition to an act entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,'"‡ approved the twenty-sixth of April, eighteen hundred and two, be, and the same is hereby, revived and continued in force until the first day of April next.§

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he hereby is, authorized, from and after the first day of April next, to issue warrants for military bounty lands to the two hundred and fifty-four persons who have exhibited their claims, and produced satisfactory evidence to substantiate the same to the Secretary of War, in pursuance of the act of the twenty-sixth of April, eighteen hundred and two, entitled "An act in addition to an act entitled 'An

\$3,000 appropriated for procuring articles necessary to the establishment of salt works at the springs near the Wabash, &c.

The President may cause the springs to be worked, or lease them for a term not exceeding three years, &c.

*See act 31 March, 1807, sect. 2, chap. 92.

†See ante, chapter 58.

The 1st sect. of the act mentioned revived and continued until the 1st of April, 1803.

‡Ante, chap. 58.

§See act of 19th of March, 1804; chap. 67, post.

The Secretary of War authorized, after the 1st of April, 1803, to issue warrants for military bounty lands to the 254 persons who have produced satisfactory evidence, &c. in pursuance of the act mentioned.

*Ante, chap. 53.

The holders or proprietors of military land warrants issued by virtue of the preceding section to locate them only on the unlocated parts of the 50 quarter townships, &c.

†Ante, chap. 51.

The Secretary of War authorized to issue land warrants to Gen. Lafayette for 11,520 acres, &c., which may be located in conformity with the provisions of the act mentioned, or be received, acre for acre, in payment for any lands north of the Ohio, &c.

‡Sec. chap. 43, and sect. 14, chap. 71, post.

All the unappropriated lands within the military tract to be surveyed into half sections, &c.

§Chap. 54, ante.

Part of the lands lying west of the 11th range, &c., to make a part of the district of Chillicothe, &c.

The lands within the 11th range, east of it, &c., to be offered for sale at Zanesville, &c.

A register and receiver to be appointed, to reside at Zanesville, &c.

Persons who have obtained certificates of the right of pre-emption to lands by virtue of the acts mentioned, and who have not made the first payment, &c., allowed until the 10th April, 1803, to complete the same, &c.

act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.' ”*

SEC. 3. *And be it further enacted*, That the holders or proprietors of the land warrants issued by virtue of the preceding sections shall and may locate their respective warrants only on any unlocated parts of the fifty quarter townships and the fractional quarter townships which had been reserved for original holders, by virtue of the fifth section of an act entitled “An act in addition to an act entitled ‘An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.’ ”†

SEC. 4. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized to issue land warrants to Major General Lafayette, for eleven thousand five hundred and twenty acres, which shall, at his option, be located, surveyed, and patented, in conformity with the provisions of an act entitled “An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,”‡ or which may be received, acre for acre, in payment for any of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.

SEC. 5. *And be it further enacted*, That all the unappropriated lands within the military tract shall be surveyed into half sections, in the manner directed by the act entitled “An act to amend the act entitled ‘An act providing for the sale of the lands of the United States in the Territory northwest of the Ohio, and above the mouth of Kentucky river,’ ”§ and that so much of the said lands as lie west of the eleventh range, within the said tract, shall be attached to and make a part of the district of Chillicothe, and be offered for sale at that place, under the same regulations that other lands are within the said district.

SEC. 6. *And be it further enacted*, That the lands within the said eleventh range, and east of it, within the said military tract, and all the lands north of the Ohio Company’s purchase, west of the seven first ranges, and east of the district of Chillicothe, shall be offered for sale at Zanesville, under the direction of a register of the land office and receiver of public moneys, to be appointed for that purpose, who shall reside at that place, and shall perform the same duties and be allowed the same emoluments as are prescribed for and allowed to registers and receivers of the land offices by law.

SEC. 7. *And be it further enacted*, That all persons who have obtained certificates for the right of pre-emption to lands, by virtue of two acts, the one entitled “An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the Territory of the Uni-

ted States northwest of the Ohio,"* and the other "An act to extend and continue the provisions" of the said act, passed on the first day of May, eighteen hundred and two,† and who have not made the first payment therefor before the first day of January last, shall be allowed until the tenth day of April next to complete the same; and that all persons who have become purchasers of land by virtue of the aforesaid acts be, and they are hereby, allowed until the first day of January, eighteen hundred and five, to make the second instalment; until the first day of January, eighteen hundred and six, to make their third instalment; and until the first day of January, eighteen hundred and seven, to make their fourth and last instalment; any thing in the acts aforesaid to the contrary notwithstanding.(1)

*Ante, chap. 57.
†Ante, chap. 60.
Purchasers of lands by virtue of the acts mentioned, allowed the time stated to make the instalments, &c.

SEC. 8. *And be it further enacted*, That where any warrants, granted by the State of Virginia for military services, have been surveyed on the northwest side of the river Ohio, between the Sciota and the Little Miami rivers, and the said warrants, or the plats and certificates of survey made thereon, have been lost or destroyed, the persons entitled to the said land may obtain a patent therefor by producing a certified duplicate of the warrant from the land office of Virginia, or of the plat and certificate of survey from the office of the surveyor in which the same was recorded, and giving satisfactory proof to the Secretary of War, by his affidavit, or otherwise, of the loss or destruction of said warrant, or plat and certificate of survey.

Warrants granted by the State of Virginia for military services, surveyed on the northwest side of the Ohio, &c., and which, or the plats and certificates of survey made thereon have been lost, &c., the persons entitled may obtain a patent, by producing a certified duplicate, &c., and giving satisfactory proof, &c.

Approved, March 3, 1803.

(1) See Part II, Nos. 15, 42, 56, 57, 59, 60, 64, 72, 77, 88, 169.

[See Part II, Nos. 2, 35, 43, 64, 108, 113, 114, 115, 116, 121, 172, 176, 189, 236, 237, 741, 743, 746, 747, 748.]

CHAP. 65.—An act in addition to the act entitled "An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia."‡

‡See original act of February 18, 1804; ante, chap. 56.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Samuel Rogers, one of the claimants under the act entitled "An act for the relief of the refugees from the British provinces of Canada and Nova Scotia," shall be entitled to two thousand two hundred and forty acres of land, to be located in the manner and within the boundaries of the tract designated by the act to which this act is a supplement, and shall receive a patent for the same, in the manner directed by the said last-mentioned act.

Samuel Rogers, a claimant under the act mentioned, entitled to 2,240 acres of land, &c.

Approved, March 3, 1803.

CHAP. 66.—An act to revive and continue in force an act entitled “An act for the relief of the refugees from the British provinces of Canada and Nova Scotia.”*

*Original act of April 7, 1798; ante, chap. 45.

The act mentioned revived and continued for two years, &c.

†Ante, chap. 45.

‡See further act of February 24, 1810; chap. 107.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled “An act for the relief of the refugees from the British provinces of Canada and Nova Scotia,”† approved on the seventh of April, one thousand seven hundred and ninety-eight, shall be, and the same is hereby, revived and continued in force for the term of two years from the passage of this act, and no longer.‡
Approved, March 16, 1804.

CHAP. 67.—An act granting further time for locating military land warrants, and for other purposes.§

¶See act of March 2, 1805; chap. 75.

The act mentioned revived and continued until the 1st of April 1805.

¶Ante, chap. 63.

Proviso; the holders or proprietors of warrants, &c. to locate them only on any unlocated parts of the 50 quarter townships, &c.

¶Ante, chap. 51.

Proviso; no holder or proprietor of warrants permitted to locate them, unless the Secretary of War has made an endorsement certifying that no warrant has been issued for the same claim, &c.

¶¶Ante, chap. 64.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled “An act in addition to an act entitled ‘An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,’ ”|| approved the twenty-sixth day of April, eighteen hundred and two, be, and the same is hereby, revived and continued in force until the first day of April, one thousand eight hundred and five: *Provided, however*, That the holders or proprietors of warrants, or registered certificates, shall and may locate the same only on any unlocated parts of the fifty quarter townships and the fractional quarter townships which had been reserved for original holders, by virtue of the fifth section of an act entitled “An act in addition to an act entitled ‘An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen:’ ”¶ And *provided, also*, That no holder or proprietor of warrants, or registered certificates, shall be permitted to locate the same by virtue of this act, unless the Secretary of War shall have made an endorsement on such warrant or registered certificate, certifying that no warrant has been issued for the same claim to military bounty land; and by virtue of the second section of the act entitled “An act to revive and continue in force an act in addition to an act entitled ‘An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen, and for other purposes,’ ”¶¶ approved the third day of March, eighteen hundred and three.
Approved, March 19, 1804.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 177, 189, 236, 237.]

CHAP. 68.—An act to ascertain the boundary of the lands reserved by the State of Virginia, northwest of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands.*

*See act of March 2, 1807; chap. 88.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the line run under the direction of the surveyor general of the United States, from the source of the Little Miami towards the source of the Scioto, and which binds, on the east, the surveys of the lands of the United States, shall, together with its course continued to the Scioto river, be considered and held as the westerly boundary line, north of the source of the Little Miami, of the territory reserved by the State of Virginia, between the Little Miami and Scioto rivers, for the use of the officers and soldiers of the continental line of that State: *Provided*, That the State of Virginia shall, within two years after the passing of this act, recognise such line as the boundary of the said territory.

The line run under the direction of the surveyor general, &c. to be considered as the westerly boundary line, &c. of the territory reserved by Virginia, &c. for the use of the officers and soldiers, &c.

Provided, if the State of Virginia, within two years, recognises the line, &c.

SEC. 2. *And be it further enacted*, That all the officers and soldiers, or their legal representatives, who are entitled to bounty lands within the above-mentioned reserved territory, shall complete their locations within three years after the passing of this act; and every such officer and soldier, or his legal representative, whose bounty land has or shall have been located within that part of the said territory to which the Indian title has been extinguished, shall make return of his or their surveys to the Secretary of the Department of War, within five years after the passing of this act, and shall also exhibit and file with the said Secretary, and within the same time, the original warrant or warrants under which he claims, or a certified copy thereof, under the seal of the office where the said warrants are legally kept; which warrant, or certified copy thereof, shall be sufficient evidence that the grantee therein named, or the person under whom such grantee claims, was originally entitled to such bounty land; and every person entitled to said lands, and thus applying, shall thereupon be entitled to receive a patent in the manner prescribed by law.

Officers and soldiers entitled, &c. to complete their locations within three years, &c.

Officers and soldiers whose bounty land shall have been located on that part of the territory to which the Indian title has been extinguished, to make return of surveys, &c. to the Secretary of War within five years, &c.

Warrant, &c. to be sufficient evidence that the grantee, &c. was originally entitled, &c.

SEC. 3. *And be it further enacted*, That such part of the above-mentioned reserved territory as shall not have been located, and those tracts of land within that part of the said territory to which the Indian title has been extinguished, the surveys whereof shall not have been returned to the Secretary of War within the time and times prescribed by this act, shall thenceforth be released from any claim or claims for such bounty lands, and shall be disposed of in conformity with the provisions of the act entitled "An act in addition to and modification of the propositions contained in the act entitled 'An act to enable the people of the eastern division of the Territory northwest of the river Ohio to form a constitution and State Government, and for the ad-

The part of the reserved territory not located, &c., the surveys whereof shall not have been returned, &c. within the time prescribed by this act, to be released from any claim for bounty lands, &c.

*Ante, chap. 61.

mission of such State into the Union on an equal footing with the original States, and for other purposes.'”*

Approved, March 23, 1804.

[See Part II, Nos. 2, 35, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

CHAP. 69.—An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes.

The powers vested in the surveyor general to extend over all the public lands, &c. north of the Ohio, and east of the Mississippi, &c.

The lands to be surveyed into townships 6 miles square, and divided, &c.

Provido; the whole expense of surveying, &c. not to exceed three dollars for every mile.

Provido; tracts lawfully claimed, and the title recognised, &c. to be laid out and surveyed at the expense of the parties, &c.

The surveyor general to cause to be run, &c. the Indian boundary lines not yet surveyed, &c. and to ascertain, by astronomical observations, important points, &c.

Three land offices to be established in the Indiana Territory.

One at Detroit.

One at Vincennes.

One at Kaskaskia.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the powers vested by law in the surveyor general shall extend over all the public lands of the United States to which the Indian title has been or shall hereafter be extinguished, north of the river Ohio, and east of the river Mississippi; and it shall be the duty of the said surveyor general to cause the said lands to be surveyed into townships six miles square, and divided in the same manner, and under the same regulations, and to do and perform all such other acts in relation to the said lands, as is provided by law in relation to the lands of the United States situate northwest of the river Ohio, and above the mouth of Kentucky river: *Provided,* That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be actually run, surveyed, and marked: *And provided, also,* That such tracts of land as are lawfully claimed by individuals within the said boundaries, and the title where-to has been or shall be recognised by the United States, shall be laid out and surveyed at the expense of the parties, respectively, in conformity with the true boundaries of such tracts. And it shall also be the duty of the said surveyor general to cause to be run, surveyed, and marked, such of the Indian boundary lines of the said lands as have not yet been surveyed; and, with the approbation of the President of the United States, to ascertain, by astronomical observations, the positions of such places north of the river Ohio, and east of the river Mississippi, as may be deemed necessary for the correctness of the surveys, and to be the most important points of the geography of the country.

SEC. 2. *And be it further enacted,* That, for the disposal of the lands of the United States north of the river Ohio, and east of the river Mississippi, in the Indiana Territory, three land offices shall be established in the same: one at Detroit, for the lands lying north of the State of Ohio, to which the Indian title has been extinguished; one at Vincennes, for the lands to which the Indian title has been extinguished, and which are included within the boundaries fixed by the treaty lately held with the Indian tribes of the Wabash; and one at Kaskaskia, for so much of the lands included within the boundaries fixed by the treaty of the thirteenth of August, one thousand eight hundred and three, with the Kaskaskia

tribe of Indians, as is not claimed by any other Indian tribe; and, for each of the said offices, a register and a receiver of public moneys shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be by law provided in relation to the registers and the receivers of public moneys in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.

SEC. 3. *And be it further enacted*, That every person claiming lands within any of the three tracts of land described in the preceding section, by virtue of any legal grant made by the French Government prior to the treaty of Paris of the tenth of February, one thousand seven hundred and sixty-three, or of any legal grant made by the British Government, subsequent to the said treaty, and prior to the treaty of peace between the United States and Great Britain of the third of September, one thousand seven hundred and eighty-three, or of any resolution or act of Congress subsequent to the said treaty of peace, shall, on or before the first day of January, one thousand eight hundred and five, deliver to the register of the land office within whose district the land may lie, a notice, in writing, stating the nature and extent of his claims, together with a plot of the tract or tracts claimed, and may also, on or before that day, deliver to the said register, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim; and the same shall be recorded by the said register, in books to be kept for that purpose, on receiving from the parties at the rate of twelve and a half cents for every hundred words contained in such written evidence of their claim; and if such person shall neglect to deliver such notice, in writing, of his claim, or to cause to be recorded such written evidence of the same, all his right, so far as the same is derived from any resolution or act of Congress, shall become void, and forever be barred.

SEC. 4. *And be it further enacted*, That the register and receiver of public moneys of the three above-mentioned land offices shall, for the lands respectively lying within their districts, be commissioners for the purpose of examining the claims of persons claiming lands by virtue of the preceding sections. Each of the said commissioners shall, previous to entering on the duties of his appointment, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer the same: "I, ———, do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me, as commissioner for examining the claims to land, by an act of Congress entitled 'An act making provision for the dis-

A register and a receiver to be appointed for each office, &c.

Persons claiming lands within any of the three tracts described in the preceding section, by virtue of legal French or British grants, &c. or of any resolution or act of Congress, &c. to deliver to the register a notice in writing, &c. and, for the purpose of being recorded, every grant, order of survey, &c.

The register to record, &c. on receiving at the rate of 12½ cents for every 100 words.

Persons neglecting to deliver notice, &c. their rights, so far, &c. become void, and are forever barred.

The register and receiver, &c. to be commissioners for examining claims by virtue of the preceding sections.

Each commissioner to take and subscribe an oath.

Form of the oath

posal of the public lands in the Indiana Territory, and for other purposes.'"

The commissioners to meet at the places where the land offices are established, &c. and hear in a summary manner all matters respecting the claims, &c.

The decision of each board to be laid before Congress, &c.

The boards, respectively, may appoint a clerk, &c. Duty of the clerk, &c.

A transcript of the decisions made by the commissioners, &c. to be transmitted to the surveyor general and to the Secretary of the Treasury.

The commissioners to report to the Secretary of the Treasury claims filed and rejected, &c.

Reports and transcripts to be laid before Congress, &c.

Each commissioner and clerk allowed a compensation of 500 dollars.

Clerks to take an oath.

Form of the oath.

All the lands not excepted, &c. to be offered for sale to the highest bidder, &c. at the places where the land offices are kept, on days designated by proclamation, &c.

It shall be the duty of the said commissioners to meet at the places where the said land offices are by this act established, respectively, on or before the first day of January, one thousand eight hundred and five, and each board shall, in their respective districts, have power to hear in a summary manner all matters respecting such claims; also, to compel the attendance of witnesses, to administer oaths, and examine witnesses and such other testimony as may be adduced, and to decide thereon according to justice and equity; which decision shall be laid before Congress in the manner hereinafter directed, and be subject to their decision thereon. The said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter, in a book to be kept for that purpose, full and correct minutes of their proceedings and decisions, together with the evidence on which such decisions are made; which books and papers, on the dissolution of the boards, shall be deposited in the respective offices of the registers of the land offices; and the said clerk shall prepare two transcripts of all the decisions made by the said commissioners in favor of the claimants to land, both of which shall be signed by the said commissioners, and one of which shall be transmitted to the surveyor general, and the other to the Secretary of the Treasury; and the lands the claims to which shall have been thus affirmed by the commissioners shall not be otherwise disposed of until the decision of Congress thereupon shall have been made. It shall likewise be the duty of the said commissioners to make to the Secretary of the Treasury a full report of all the claims filed with the register of the proper land office, as above directed, which they may have rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; which reports, together with the transcripts of the decisions of the commissioners in favor of claimants, shall be laid by the Secretary of the Treasury before Congress, at their next ensuing session. Each of the commissioners and clerks aforesaid shall be allowed a compensation of five hundred dollars, in full for his services as such; and each of the said clerks shall, previous to his entering on the duties of his office, take and subscribe the following oath or affirmation, to wit: "*I, ———, do solemnly swear (or affirm) that I will truly and faithfully discharge the duties of a clerk to the board of commissioners for examining the claims to land, as enjoined by an act of Congress entitled 'An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes.'*"

SEC. 5. *And be it further enacted*, That all the lands aforesaid, not excepted by virtue of the preceding section, shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools

within the same, with the exception also of an entire township in each of the three above-described tracts of country or districts, to be located by the Secretary of the Treasury, for the use of a seminary of learning, and with the exception also of the salt springs and lands reserved for the use of the same, as hereinafter directed, be offered for sale to the highest bidder, under the direction of the surveyor general, or Governor of the Indiana Territory,* of the register of the land office, and of the receiver of public moneys, at the places, respectively, where the land offices are kept, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open, at each place, for three weeks, and no longer:† the lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been or may be by law provided for the lands sold north of the river Ohio, and above the mouth of Kentucky river. All lands, other than the reserved sections, and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the registers of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river. And patents shall be obtained for all lands granted or sold in the Indiana Territory, in the same manner, and on the same terms, as is or may be provided by law for lands sold in the State of Ohio and in the Mississippi Territory.

SEC. 6. *And be it further enacted*, That all the navigable rivers, creeks, and waters, within the Indiana Territory, shall be deemed to be and remain public highways; and the several salt springs in the said Territory, together with as many contiguous sections to each as shall be deemed necessary by the President of the United States, shall be reserved for the future disposal of the United States: And any grant which may hereafter be made for a tract of land, containing a salt spring which had been discovered previous to the purchase of such tract from the United States, shall be considered as fraudulent and null.

SEC. 7. *And be it further enacted*, That the several provisions made in favor of persons who have contracted for lands with John Cleves Symmes and his associates, by an act entitled "An act to extend and continue in force the provisions of an act entitled 'An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates, for lands lying between the Miami rivers, in the Territory northwest of the Ohio, and for other purposes,'"‡ shall be, and the same are hereby, continued in force until the first day of June next: *Provided*, That the register of the land office and receiver of public

*See act of March 3, 1805; section 6, chap. 76.

The sales to remain open for three weeks, &c.

†See sect. 7, chap. 93.

All lands, other than reserved sections, &c. remaining unsold, &c. may be disposed of at private sale, &c.

All navigable rivers, creeks, &c. within the Indiana Territory, to remain public highways.

Salt springs, &c. reserved for future disposal, &c.

Grants for tracts containing salt springs discovered previous to purchases, considered fraudulent and null.

The provisions of the act mentioned continued until the 1st June, 1804.

‡Ante, chap. 60.

Proviso: the register and receiver at Cincinnati to perform the duties, &c. enjoined on the commissioners by the act referred to.

Proviso: no certificate for a right of pre-emption to be granted, except, &c.

Persons obtaining certificates of pre-emption, allowed until 1st Jan. 1806, to complete the payment of the first instalment.

Proviso: where, in virtue of contracts with John Cleves Symmes, persons have made improvements on any section, &c. which, by the running of lines subsequently, &c. have fallen within any other section or half section, except, &c. such section, &c. to be granted, &c. but not a greater number of acres, &c.

Persons who have obtained certificates of a right of pre-emption for lands between the two Miami rivers, on account of contracts with John Cleves Symmes, and have paid their first instalments, permitted to pay the residue, &c. in six annual equal payments.

Fractional sections of the public land may, &c. be either sold singly or two or more together, &c.

moneys at Cincinnati shall perform the same duties, exercise the same powers, and enjoy the same emoluments, which, by the last-recited act, were enjoined on or vested in the commissioners designated by the said act: *And provided, also,* That no certificate for a right of pre-emption shall be granted, except in favor of persons who had, before the first day of January, one thousand eight hundred, made contracts in writing with John Cleves Symmes, or with any of his associates, and who had made to him or them any payment or payments of money for the purchase of such lands; nor unless at least one twentieth part of the purchase-money of the land claimed shall have previously been paid to the receiver of public moneys, or shall be paid prior to the first day of January next. And every person who shall obtain a certificate of pre-emption shall be allowed until the first day of January, one thousand eight hundred and six, to complete the payment of his first instalment: *And provided, also,* That where any person or persons shall, in virtue of a contract entered into with John Cleves Symmes, have entered and made improvements on any section or half section, prior to the first day of April last, (having conformed with all the foregoing provisions in this section,) which improvements, by the running of the lines subsequently thereto, shall have fallen within any section or half section other than the one purchased as aforesaid, and other than section number sixteen, such section or half section shall, in that case, be granted to the person or persons who shall have so entered, improved, and cultivated the same, on payment of the purchase-money, agreeably to the provisions made by law for lands sold at private sale; but nothing herein contained shall be construed to give to any such person or persons a greater number of acres than he or they had contracted for with John Cleves Symmes, as aforesaid. (1)

SEC. 8. *And be it further enacted,* That every person who may have heretofore obtained from the commissioners a certificate of a right of pre-emption for lands lying between the two Miami rivers, on account of contracts with or purchase from John Cleves Symmes or his associates, and who has paid his first instalment; and every person who may obtain a similar certificate by virtue of the preceding section, and shall, on or before the first day of January, one thousand eight hundred and six, pay his first instalment, be permitted to pay the residue of the purchase-money in six annual equal payments.

SEC. 9. *And be it further enacted,* That fractional sections of the public lands of the United States, either north of the river Ohio or south of the State of Tennessee, shall, under the directions of the Secretary of the Treasury, be either sold singly or by uniting two or more together, any act to the contrary notwithstanding: *Provided,* That no fractional

sections shall be sold in that manner until after they shall have been offered for sale to the highest bidder, in the manner hereinafter directed.

Proviso; no fractional sections to be sold in that manner until, &c.

SEC. 10. *And be it further enacted*, That all the public lands of the United States, the sale of which is authorized by law, may, after they shall have been offered for sale to the highest bidder in quarter sections, as hereinafter directed, be purchased, at the option of the purchaser, either in entire sections, in half sections, or in quarter sections; in which two last cases the sections shall be divided into half sections by lines running due north and south, and the half sections shall be divided into quarter sections by lines running due east and west.* And in every instance in which a subdivision of the lands of the United States, as surveyed in conformity with law, shall be necessary to ascertain the boundaries or true contents of the tract purchased, the same shall be done at the expense of the purchaser.

All the public lands, after, &c. may be purchased, &c. in entire, half, or quarter sections, &c.

*Repealed. See act of 11th Feb. 1836, sect. 3, chap. 72.

Where a subdivision is necessary, to ascertain the boundaries, &c. it is to be done at the expense of the purchaser.

No interest to be charged on any instalment which may hereafter be come due, &c.

SEC. 11. *And be it further enacted*, That no interest shall be charged on any instalment which may hereafter become due, in payment for any of the public lands of the United States, wherever situated, and which have been sold in pursuance of the act entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United States in the Territory northwest of the Ohio, and above the mouth of Kentucky river,'"† or which may hereafter be sold by virtue of that or of any other act of Congress: *Provided*, That such instalments shall be paid on the day on which the same shall become due; but the interest shall be charged and demanded in conformity with the provisions heretofore in force, from the date of the purchase, on each instalment which shall not be paid on the day on which the same shall become due: *Provided, however*, That on the instalments which are or may become due before the first day of October next, interest shall not be charged, except from the time they became due until paid; but in failure to pay the said instalments on the said first day of October, interest shall be charged thereon, in conformity with the provisions heretofore in force, from the date of the purchase.

†Ante, chap. 54.

Proviso; the instalments to be paid on the day due, &c.

Interest to be charged from the date of purchase, on each instalment not paid on the day.

Proviso; interest not to be charged on instalments due before the 1st of October, 1804; except, &c.

SEC. 12. *And be it further enacted*, That the sections which have been heretofore reserved, and are by this act directed to be sold; also, the fractional sections, classed as is by the ninth section of this act directed, and all the other lands of the United States north of the Ohio and above the mouth of Kentucky river, shall be offered for sale in quarter sections, to the highest bidder, under the directions of the register of the land office and of the receiver of public moneys, at the places, respectively, where the land offices are kept, that is to say: the lands in the district of Chillicothe, on the first Monday of May; the lands in the district of Marietta, on the second Monday of May; the lands in the district of Zanesville, on the third Monday of May; the lands in the district of Steubenville, on the second Monday of

The sections heretofore reserved, and directed to be sold, the fractional sections, &c. and all the other lands, &c. to be offered for sale in quarter sections, to the highest bidder, &c. at the places and times herein designated.

The sales to remain open three weeks; the lands not to be sold for less than 2 dollars per acre, &c.

All the other public lands, &c. to be offered for sale, &c. in quarter sections.

Proviso: section No. 26, &c. granted to Joseph Vanhorne, &c.

Section No. 29 granted to James Sutton.

Section No. 21, &c. granted to Christian Van Gundy, &c.

When the public lands have been surveyed, &c. they are to be divided by the Secretary of the Treasury into surveying districts, and the surveyor general, &c. to appoint a deputy for each, &c.

Deputy surveyors to take an oath, and to run and mark such lines as may be necessary, &c.

The surveyor general to furnish each deputy with a copy of the plat of townships, &c. in his district, &c.

Each deputy to receive from the purchaser, &c. at the rate of 3 dollars for every mile surveyed, &c.

The fees payable by virtue of former laws to be no longer demandable, &c.

No final certificate to be given by the register, &c. unless the purchaser lodges a certified plat, &c.

*Repeated. See sec. 3, chap. 72.

June; and the lands in the district of Cincinnati, on the first Monday of September. The sales shall remain open at each place no longer than three weeks; the lands which may be thus sold shall not be sold for less than two dollars per acre, and shall, in every other respect, be sold on the same terms and conditions as is provided for the sale of lands sold at private sale. And all the other public lands of the United States, either north of the Ohio or south of the State of Tennessee, which are directed to be sold at public sale, shall be offered for sale to the highest bidder in quarter sections: *Provided, however,* That section number twenty-six of the third township of the second fractional range, within the grant made by the United States to John Cleves Symmes, on which is erected a mill dam, is hereby granted to Joseph Vanhorne, the proprietor of the said dam; and, also, that section number twenty-nine, of the second township of the fourth entire range, be granted to James Sutton; and, also, that section number twenty-one, of the ninth township of the twenty-first range, be granted to Christian Van Gundy, on their payment of the purchase-money, agreeably to the provisions made by law for lands sold at private sale.

SEC. 13. *And be it further enacted,* That whenever any of the public lands shall have been surveyed in the manner directed by law, they shall be divided by the Secretary of the Treasury into convenient surveying districts; and a deputy surveyor shall, with the approbation of the said Secretary, be appointed by the surveyor general for each district, who shall take an oath or affirmation *truly and faithfully to perform the duties of his office*; and whose duty it shall be to run and mark such lines as may be necessary for subdividing the lands, surveyed as aforesaid, into sections, half sections, or quarter sections, as the case may be; to ascertain the true contents of such subdivisions; and to record, in a book to be kept for that purpose, the surveys thus made. The surveyor general shall furnish each deputy surveyor with a copy of the plat of the townships and fractional parts of townships contained in his district, describing the subdivisions thereof, and the marks of the corners. Each deputy surveyor shall be entitled to receive from the purchaser of any tract of land, of which a line or lines shall have been run and marked by him, at the rate of three dollars for every mile thus surveyed and marked, before he shall deliver to him a copy of the plat of such tract, stating its contents. The fees payable by virtue of former laws for surveying expenses shall, after the first day of July next, be no longer demandable from, and paid by, the purchasers. And no final certificate shall thereafter be given by the register of any land office to the purchaser of any tract of land, all the lines of which shall not have been run, and the contents ascertained, by the surveyor general or his assistants, unless such purchaser shall lodge with the said register a plat of such tract, certified by the district surveyor.*

SEC. 14. *And be it further enacted*, That, from and after the first day of April next, each of the registers and receivers of public moneys of the several land offices established by law, either north of the river Ohio or south of the State of Tennessee, shall, in addition to the commission heretofore allowed, receive one half per cent. on all the moneys paid for public lands sold in their respective offices, and an annual salary of five hundred dollars, the register and receiver of the land office at Marietta excepted, the annual salary of whom shall be two hundred dollars. And from and after the same day, the fees payable, by virtue of former laws, to the registers of the several land offices, for the entry of lands, and for certificates of moneys paid, shall no longer be demandable from, nor paid by, the purchasers of public lands. And it shall be the duty of the Secretary of the Treasury to cause, at least once every year, the books of the officers of the land offices to be examined, and the balance of public moneys in the hands of the several receivers of public moneys of the said offices to be ascertained.

Each of the registers and receivers, after the 1st of April, 1804, to receive in addition, &c. one half per cent. on the money paid for public lands, &c. and an annual salary of 500 dollars, except at Marietta, &c.

Fees payable, by virtue of former laws, to the registers, &c. to be no longer paid by the purchasers.

The Secretary of the Treasury to cause the books of the officers of the land offices to be examined, &c.

SEC. 15. *And be it further enacted*, That, from and after the first day of April next, the fees heretofore payable for patents for lands shall no longer be paid by the purchasers. And it shall be the duty of every register of a land office, on application of the party, to transmit by mail, to the Register of the Treasury, the final certificate granted by such register to the purchaser of any tract of land sold at his office : and it shall be the duty of the Register of the Treasury, on receiving any such certificate, to obtain and transmit by mail, to the register of the proper land office, the patent to which such purchaser is entitled ;* but in every such instance the party shall previously pay to the proper deputy postmaster the postage accruing on the transmission of such certificate and patent.

Fees for patents no longer to be paid by purchasers.

The registers of the land offices to transmit final certificates to the Register of the Treasury, who is to procure and forward the patents, the party paying the postage.

*Altered. See act of 25th April, 1812; chap. 136.

SEC. 16. *And be it further enacted*, That the President of the United States shall have full power to appoint and commission the several registers and receivers of public moneys of the land offices established by this act, in the recess of Congress ; and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

The President empowered to appoint and commission the registers and receivers, &c.

SEC. 17. *And be it further enacted*, That the several superintendents of the public sales directed by this act shall receive six dollars each, for each day's attendance on the said sales.

Superintendents of sales to receive 6 dollars each for every day's attendance, &c.

SEC. 18. *And be it further enacted*, That a sum, not exceeding twenty thousand dollars, be, and the same is hereby appropriated for the purpose of carrying this act into effect ; which sum shall be paid out of any unappropriated moneys in the Treasury.

Not exceeding 20,000 dollars appropriated for carrying this act into effect.

Approved, March 26, 1804.

[See Part 2, Nos. 13, 19, 35, 64, 98, 105, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 190, 194, 195, 196, 197, 203, 208, 209, 210, 211, 217, 231, 243, 395, 440, 636, 745, 746, 747, 748, 749, 750, 751, 752, 753, 758, 759, 760, 770, 835, 900, 908, 944, 948, 962.]

CHAP. 70.—An act erecting Louisiana into two Territories, and providing for the temporary government thereof.*

*See the act of 30th Feb. 1811, chapter 113; and act of 6th April, 1812, chap. 132.

That portion of the ceded territory which lies south of the Mississippi Territory, &c., and extending to the western boundary of the cession, to constitute the Territory of Orleans, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that portion of country ceded by France to the United States, under the name of Louisiana, which lies south of the Mississippi Territory, and of an east and west line, to commence on the Mississippi river, at the thirty-third degree of north latitude, and to extend west to the western boundary of the said cession, shall constitute a Territory of the United States, under the name of the Territory of Orleans; the Government whereof shall be organized and administered as follows:

[Sections 2 and 3 irrelevant.]

The legislative power to be vested in a Governor, and a Council of thirteen, to be appointed annually by the President, &c.

Legislative powers of the Governor and Council.

No law valid which is inconsistent with the constitution, &c.

The Governor to publish the laws, report them to the President, and Congress may disapprove, &c.

The Governor or Council to have no power over the primary disposal of the soil, &c.

The Governor may convene and prorogue the Council, &c., and to communicate information, &c. to the President.

The residue of the province ceded, to be called the district of Louisiana, &c.

†See act of June 4, 1812, chap. 139.

SEC. 4. The legislative power shall be vested in the Governor, and in thirteen of the most fit and discreet persons of the Territory, to be called the Legislative Council, who shall be appointed, annually, by the President of the United States, from among those holding real estate therein, and who shall have resided one year, at least, in the said Territory, and hold no office of profit under the Territory or the United States. The Governor, by and with the advice and consent of the said Legislative Council, or of a majority of them, shall have power to alter, modify, or repeal, the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint, burden, or disability, on account of his religious opinions, professions, or worship; in all which he shall be free to maintain his own, and not burdened for those of another. The Governor shall publish, throughout the said Territory, all the laws which shall be made, and shall, from time to time, report the same to the President of the United States, to be laid before Congress; which, if disapproved of by Congress, shall thenceforth be of no force. The Governor or Legislative Council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to land within the said Territory. The Governor shall convene and prorogue the Legislative Council whenever he may deem it expedient. It shall be his duty to obtain all the information in his power in relation to the customs, habits, and dispositions, of the inhabitants of the said Territory, and communicate the same, from time to time, to the President of the United States.

[Sections 5, 6, 7, 8, 9, 10, and 11, irrelevant.]

SEC. 12. The residue of the province of Louisiana ceded to the United States shall be called the district of Louisiana,† the Government whereof shall be organized and administered as follows:

The executive power now vested in the Governor of the

Indiana Territory shall extend to, and be exercised in, the said district of Louisiana. The Governor and judges of the Indiana Territory shall have power to establish, in the said district of Louisiana, inferior courts, and prescribe their jurisdiction and duties, and to make all laws which they may deem conducive to the good government of the inhabitants thereof: *Provided, however,* That no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint or disability on account of his religious opinions, profession, or worship; in all of which he shall be free to maintain his own, and not burdened for those of another: *And provided, also,* That, in all criminal prosecutions, the trial shall be by a jury of twelve good and lawful men of the vicinage; and in all civil cases, of the value of one hundred dollars, the trial shall be by jury, if either of the parties require it. The judges of the Indiana Territory, or any two of them, shall hold, annually, two courts within the said district, at such place as will be most convenient to the inhabitants thereof in general, shall possess the same jurisdiction they now possess in the Indiana Territory, and shall continue in session until all the business depending before them shall be disposed of. It shall be the duty of the secretary of the Indiana Territory to record and preserve all the papers and proceedings of the Governor, of an executive nature, relative to the district of Louisiana, and transmit authentic copies thereof, every six months, to the President of the United States. The Governor shall publish, throughout the said district, all the laws which may be made as aforesaid, and shall, from time to time, report the same to the President of the United States, to be laid before Congress; which, if disapproved of by Congress, shall thenceforth cease and be of no effect.

The said district of Louisiana shall be divided into districts by the Governor, under the direction of the President, as the convenience of the settlements shall require, subject to such alterations hereafter as experience may prove more convenient. The inhabitants of each district, between the ages of eighteen and forty-five, shall be formed into a militia, with proper officers, according to their numbers, to be appointed by the Governor, except the commanding officer, who shall be appointed by the President, and who, whether a captain, a major, or a colonel, shall be the commanding officer of the district, and, as such, shall, under the Governor, have command of the regular officers and troops in his district, as well as of the militia, for which he shall have a brevet commission, giving him such command, and the pay and emoluments of an officer of the same grade in the regular army; he shall be specially charged with the employment of the military and militia of his district, in cases of sudden invasion or insurrection, and until the orders of the Governor can be received, and at all times with the duty of ordering a military patrol, aided by militia if necessary, to arrest unau-

The executive power vested in the Governor of Indiana, to be exercised in the district of Louisiana, &c.

The Governor and judges of Indiana to establish inferior courts in the district, make laws, &c.

Provido; no law valid that is inconsistent with the constitution, &c.

Provido; as to trial by jury.

Two courts annually; jurisdiction of the judges, &c.

The secretary of the Indiana Territory to record and preserve the executive proceedings of the Governor relative to the district of Louisiana.

Laws disapproved of by Congress to cease, &c.

The district of Louisiana to be divided into districts, &c.

The inhabitants between 18 and 45, to be formed into a militia.

The commanding officer to be appointed by the President, &c., his powers and duties, &c.

thorized settlers in any part of his district, and to commit such offenders to gaol, to be dealt with according to law.

Laws in force in the district, &c., not inconsistent with this act, to continue until altered, &c.

SEC. 13. The laws in force in the said district of Louisiana, at the commencement of this act, and not inconsistent with any of the provisions thereof, shall continue in force until altered, modified, or repealed, by the Governor and judges of the Indiana Territory, as aforesaid.

All grants for lands within the territories ceded, &c., the title whereof was, at the date of the treaty of St. Ildefonso in the Crown, &c., of Spain, &c. declared null, &c.

*1st Oct. 1800. See Laws U. S., vol. 1, page 136.

Proviso; nothing in this section to make void any bonafide grant, agreeably to the laws, usages, &c., of the Spanish Government, &c.

SEC. 14. *And be it further enacted*, That all grants for lands within the territories ceded by the French republic to the United States, by the treaty of the thirtieth of April, in the year one thousand eight hundred and three, the title whereof was, at the date of the treaty of St. Ildefonso,* in the Crown, Government, or nation of Spain, and every act and proceeding subsequent thereto, of whatsoever nature, towards the obtaining any grant, title, or claim, to such lands, and under whatsoever authority transacted, or pretended, be, and the same are hereby, declared to be, and to have been from the beginning, null, void, and of no effect in law or equity: *Provided, nevertheless*, That any thing in this section contained shall not be construed to make null and void any bonafide grant, made agreeably to the laws, usages, and customs, of the Spanish Government, to an actual settler on the lands so granted, for himself, and for his wife and family; or to make null and void any bonafide act or proceeding done by an actual settler, agreeably to the laws, usages, and customs, of the Spanish Government, to obtain a grant for lands actually settled on by the person or persons claiming title thereto, if such settlement, in either case, was actually made prior to the twentieth day of December, one thousand eight hundred and three: *And provided, further*, That such grant shall not secure to the grantee, or his assigns, more than one mile square of land, together with such other and further quantity as heretofore hath been allowed for the wife and family of such actual settler, agreeably to the laws, usages, and customs, of the Spanish Government. And that if any citizen of the United States, or other person, shall make a settlement on any lands belonging to the United States, within the limits of Louisiana, or shall survey, or attempt to survey, such lands, or to designate boundaries, by marking trees or otherwise, such offender shall, on conviction thereof, in any court of record of the United States, or the Territories of the United States, forfeit a sum not exceeding one thousand dollars, and suffer imprisonment not exceeding twelve months; and it shall, moreover, be lawful for the President of the United States to employ such military force as he may judge necessary to remove, from lands belonging to the United States, any such citizen or other person who shall attempt a settlement thereon.(1)

Proviso; the grants referred to, not to secure to the grantee more than a mile square, &c.

Citizens, &c., making settlements on lands, &c., within the limits of Louisiana, &c., to forfeit not exceeding \$1,000, and suffer imprisonment, &c.

The President may employ the military force to remove persons attempting settlements.

The President authorized to stipulate with any Indian tribes, &c., for an exchange of lands, &c.

SEC. 15. The President of the United States is hereby authorized to stipulate with any Indian tribes, owning lands

(1) See Part II, Nos. 1 and 19.

on the east side of the Mississippi, and residing thereon, for an exchange of lands the property of the United States, on the west side of the Mississippi, in case the said tribes shall remove and settle thereon; but, in such stipulation, the said tribes shall acknowledge themselves to be under the protection of the United States, and shall agree that they will not hold any treaty with any foreign Power, individual State, or with the individuals of any State or Power; and that they will not sell or dispose of the said lands, or any part thereof, to any sovereign Power, except the United States, nor to the subjects or citizens of any other sovereign Power, nor to the citizens of the United States. And in order to maintain peace and tranquillity with the Indian tribes who reside within the limits of Louisiana, as ceded by France to the United States, the act of Congress passed on the thirtieth day of March, one thousand eight hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," is hereby extended to the Territories erected and established by this act; and the sum of fifteen thousand dollars, of any money in the Treasury not otherwise appropriated by law, is hereby appropriated to enable the President of the United States to effect the object expressed in this section.

[Section 16 irrelevant.]

Approved, March 26, 1804.

[See Part II, No. 29.]

CHAP. 71.—An act supplementary to the act entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee."*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That persons claiming lands in the Mississippi Territory, by virtue of any British or Spanish grant, or by virtue of the three first sections of the act to which this is a supplement, or of the articles of agreement and cession with the State of Georgia, may, after the last day of March, in the year one thousand eight hundred and four, and until the last day of November then next following, give notice, in writing, of their claims, to the register of the land office for the lands lying west of Pearl river, and have the same recorded in the manner prescribed by the fifth section of the act to which this is a supplement: *Provided, however,* That where lands are claimed by virtue of a complete Spanish or British grant, in conformity with the articles of agreement and cession between the United States and the State of Georgia, it shall not be necessary for the claimant to have any other evidence of his claim recorded except the original grant or patent, together with the warrant or order of survey, and the plot; but all the subsequent conveyances or

The tribes to acknowledge themselves under the protection of the United States, &c.

The act to regulate trade and intercourse with the Indian tribes, extended to the Territories erected by this act, &c.

\$15,000 appropriated to enable the President to effect the object expressed in this section.

*See original act of 3d March, 1803; ante, chap. 62.

Persons claiming lands in the Mississippi Territory, by virtue of any British or Spanish grant, or, &c., may, until the 30th Nov. 1804, give notice, in writing, of their claims, to the register for the lands lying west of Pearl river, &c.

Provido; where lands are claimed by virtue of a complete Spanish or British grant, &c., it will not be necessary to have any other evidence recorded except the original grant, &c.

All subsequent conveyances or deeds to be deposited with the register, etc.

The powers vested in the commissioners for ascertaining claims to lands west of Pearl river, to apply to claims made by virtue of this section, etc.

The commissioners for adjusting claims to lands west of Pearl river empowered to adjourn from time to time, etc., provided, etc.

Provide: nothing in this act to prevent the commissioners, etc. from acting and deciding, at any time, on claims exhibited, etc., although, etc.

When any Spanish grant, etc. is produced to either of the boards, etc. for lands, etc. not inhabited, etc., or, etc., the commissioners not bound to consider such grant, etc. as conclusive evidence of title, but may require other proof, etc.

The boards to make a full report to the Secretary of the Treasury, to be laid before Congress, etc.

*See act of 28th Feb. 1809, chapter 101.

The Secretary of the Treasury authorized to employ an agent, for a compensation not to exceed \$1,500 in full, etc., to appear before the commissioners, in behalf of the United States, to investigate claims, etc.

deeds shall be deposited with the register, to be by him laid before the commissioners, when they shall take the claim into consideration: and the powers vested by law in the commissioners appointed for the purpose of ascertaining the claims to lands lying west of Pearl river shall, in every respect, extend and apply to claims which may be made by virtue of this section, and the same proceedings shall thereupon be had as are prescribed by the act aforesaid in relation to claims which shall have been exhibited on or before the last day of March, in the year one thousand eight hundred and four.

SEC. 2. *And be it further enacted*, That the commissioners aforesaid, appointed to adjust the claims to lands lying west of Pearl river, shall have power to adjourn, from time to time, and for such time as they may think fit: *Provided, however*, That they shall meet on the first day of December, in the year one thousand eight hundred and four, and shall not afterwards adjourn for a longer time than three days, nor until they shall have completed the business for which they were appointed: *And provided, also*, That nothing contained in this act, nor in that to which this is a supplement, shall be construed to prevent the said commissioners, nor those appointed to adjust the claims to lands lying east of Pearl river, from acting and deciding at any time on any claim which has been exhibited in the manner prescribed by law, although the evidence of the same may not, at that time, have been transcribed on the books of the register.

SEC. 3. *And be it further enacted*, That when any Spanish grant, warrant, or order of survey, shall be produced to either of the said boards of commissioners, for lands which were not, at the date of such grant, warrant, or order of survey, or within one year thereafter, inhabited, cultivated, or occupied, by or for the use of the grantee; or whenever either of the said boards shall not be satisfied that such grant, warrant, or order of survey, did issue at the time when the same bears date, the said commissioners shall not be bound to consider such grant, warrant, or order of survey, as conclusive evidence of the title, but may require such other proof of its validity as they may deem proper: and the said boards shall make a full report to the Secretary of the Treasury, to be by him laid before Congress, for their final decision of all claims grounded on such grants, warrants, or orders of survey, as may have been disallowed by the said boards, on suspicion of their being antedated, or otherwise fraudulent.*

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to employ an agent, whose compensation shall not exceed one thousand five hundred dollars in full for all his services, for the purpose of appearing before the said commissioners, in behalf of the United States, to investigate the claims for lands, and to oppose all such as he may deem fraudulent

and unfounded. And each of the said boards of commissioners shall have the same powers to compel the attendance of witnesses as are now vested in the courts of the United States.

SEC. 5. *And be it further enacted*, That the board of commissioners appointed to adjust the claims to lands lying west of Pearl river shall be authorized to employ an assistant clerk, and also a translator of the Spanish language, to assist them in the despatch of the business which may be brought before them, and for the purpose of recording Spanish grants, deeds, or other evidences of claims, on the register's books; the said translator shall receive for the recording done by him the fees already provided by law, and may be allowed not exceeding fifty dollars for every month he shall be employed: *Provided*, That the whole compensation, other than that arising from fees, shall not exceed six hundred dollars; the assistant clerk shall be allowed a sum not exceeding five hundred dollars for his services; and each of the commissioners of the said board, in addition to the compensation now fixed by law, shall be allowed six dollars for every day he shall attend on the board after the last day of November, in the year one thousand eight hundred and four: *Provided*, That this additional compensation shall not exceed two thousand dollars for each of the said commissioners.

The board appointed to adjust claims to lands west of Pearl river, authorized to employ an assistant clerk, and a translator of the Spanish language, etc.

The translator may be allowed \$50 per month, besides the fees, provided, etc.

The assistant clerk to be allowed not exceeding \$500.

Each of the commissioners to be allowed \$6 for every day he attends, etc. in addition, etc.

SEC. 6. *And be it further enacted*, That, from and after the first day of April, in the year one thousand eight hundred and four, the surveyor of the lands of the United States south of the State of Tennessee shall receive an annual compensation of two thousand dollars, in lieu of the annual compensation now fixed by law. And the lands claimed by virtue of Spanish grants, legally and fully executed, and the titles to which were confirmed by the articles of agreement and cession between the United States and the State of Georgia, shall be surveyed, in the manner prescribed by the act to which this is a supplement, at the expense of the United States, any thing in the said act to the contrary notwithstanding.

The surveyor of the lands south of Tennessee to receive an annual compensation of \$2,000 in lieu, etc.

The lands claimed by virtue of Spanish grants, etc. to be surveyed, etc. at the expense of the United States, etc.

SEC. 7. *And be it further enacted*, That the tract of country lying north of the Mississippi Territory, and south of the State of Tennessee, and bounded on the east by the State of Georgia, and on the west by Louisiana, shall be, and the same is hereby, annexed to, and made a part of, the Mississippi Territory.*

The tract of country described, annexed to the Mississippi Territory.

*See ante, chapter 46.

SEC. 8. *And be it further enacted*, That so much of the eighth section of an act entitled "An act regulating grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee,"† as provides "that no certificate shall be granted for lands lying east of the Tombigbee river," be, and the same hereby is, repealed: *Provided*, That no certificate shall be granted for any lands to which the Indian title has not been extinguished.

Part of the 8th section of the act mentioned, repealed.

†Ante, chapter 62.

Provide; no certificate to be granted for lands to which the Indian title has not been extinguished.

The commissioners appointed in pursuance of the act referred to, required, &c. to make a full report to the Secretary of the Treasury, of claims held by warrant, &c., in cases where the claimants were minors, &c.

SEC. 9. And be it further enacted, That the commissioners appointed in pursuance of the act aforesaid be, and they are hereby, authorized and required to make, on or before the first day of December next, a full report to the Secretary of the Treasury of all claims that have been or may be laid before them, for lands held by warrant of survey and improvement, in cases where the claimants were minors, and not heads of families, at the time such warrants were issued, with the circumstances which occasioned the issuing of such warrants, and the validity which has been considered as attached to the same.

Not exceeding \$20,000 appropriated for carrying this act into effect, &c.

SEC. 10. And be it further enacted, That for the purpose of carrying this act into effect, a sum not exceeding twenty thousand dollars shall be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

The execution of part of the 12th section of the act referred to suspended, &c.

SEC. 11. And be it further enacted, That the execution of so much of the twelfth section of the act to which this is a supplement as excepts "such town lots, not exceeding two, in the town of Natchez, and such an out-lot adjoining the same, not exceeding thirty acres, as may be the property of the United States, to be located by the Governor of the Mississippi Territory for the use of Jefferson College," be, and the same is hereby, suspended until the end of the next session of Congress.

Transcripts of records of the British province of West Florida, to claims for land, &c. to be entitled to the same weight, &c. as if delivered within the time mentioned, &c.

SEC. 12. And be it further enacted, That transcripts of the records of the British province of West Florida to claims for land therein, and which have been delivered to the Government of the United States, may be produced as evidence, and shall be entitled to the same weight, in any court of the United States, as if the same had been delivered or shall be delivered to either of the registers of the land offices in the Mississippi Territory, before the last of March, one thousand eight hundred and four, any thing in this act, or in the fifth section of the act to which this is a supplement, to the contrary notwithstanding.

3,000 dollars appropriated for extending the external commerce of the United States, exploring limits, &c.

SEC. 13. And be it further enacted, That the sum of three thousand dollars be, and the same is hereby, appropriated for the purpose of extending the external commerce and exploring the limits of the United States in the new acquired territory of Louisiana, out of any moneys in the Treasury not otherwise appropriated.

Major General Lafayette authorized to locate and survey the lands allowed him, by the 4th section of the act mentioned, on any lands, &c. in the Territory of Orleans, &c.

SEC. 14. And be it further enacted, That Major General Lafayette be, and he is hereby, authorized and empowered to locate and survey the lands allowed him by the fourth section of an act entitled "An act to revive and continue in force an act in addition to an act entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of United Brethren for propagating the Gospel among the Heathen, and for other purposes,'"* on any lands, the property of the United States, in the Territory of Orleans; and, on presenting the

*Ante, chap. 64.

surveys of the said land to the Secretary of the Treasury, the President of the United States is hereby authorized to issue letters patent to the said Major General Lafayette for the quantity of lands allowed by the said act.

Approved, March 27, 1804.

[See Part II, Nos. 13, 19, 618, 626, 635, 655, 656, 768, 769, 773, 819, 824, 843, 844, 846, 848, 849, 852, 854, 858, 859, 860, 861, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 914, 915, 918, 929, 940, 949, 953, 955.]

CHAP. 72.—An act concerning the mode of surveying the public lands of the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the surveyor general shall cause all those lands north of the river Ohio, which, by virtue of the act entitled "An act providing for the sale of the lands of the United States in the Territory northwest of the river Ohio, and above the mouth of the Kentucky river,"* were subdivided, by running through the townships parallel lines, each way, at the end of every two miles, and by marking a corner on each of the said lines, at the end of every mile, to be subdivided into sections, by running straight lines from the mile corners thus marked to the opposite corresponding corners, and by marking on each of the said lines intermediate corners, as nearly as possible equidistant from the corners of the sections on the same. And the said surveyor general shall also cause the boundaries of all the half sections which had been purchased previous to the first day of July last, and on which the surveying fees had been paid according to law by the purchaser, to be surveyed and marked, by running straight lines from the half-mile corners heretofore marked to the opposite corresponding corners; and intermediate corners shall, at the same time, be marked on each of the said dividing lines, as nearly as possible equidistant from the corners of the half section on the same line: *Provided*, That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile which has not yet been surveyed, and which shall be actually run, surveyed, and marked, by virtue of this section. And the expense of making the subdivisions directed by this section shall be defrayed out of the moneys appropriated, or which may be hereafter appropriated, for completing the surveys of the public lands of the United States.

The surveyor general to cause the lands north of the Ohio, which, &c. were subdivided, &c. to be subdivided into sections, in the manner described, &c.

*Chap. 42.

The surveyor general to cause the boundaries of all the half sections purchased previous to the 1st of July, 1804, &c. to be surveyed and marked, &c.

Intermediate corners to be marked on each of the dividing lines, &c.

Proviso; the whole expense of surveying, &c. not to exceed 3 dollars for every mile, &c.

The expense of making subdivisions, &c. to be defrayed out of the moneys appropriated for completing the surveys of the public lands.

SEC. 2. *And be it further enacted,* That the boundaries and contents of the several sections, half sections, and quarter sections, of the public lands of the United States, shall be ascertained in conformity with the following principles, any act or acts to the contrary notwithstanding:

The boundaries and contents of the several sections, &c. to be ascertained, in conformity with the principles stated.

1. All the corners marked in the surveys returned, &c. to be established as the proper corners of sections, &c.

The corners of half and quarter sections, not marked on the surveys, to be placed, as nearly as possible, equidistant, &c.

2. The boundary lines actually run and marked in the surveys returned, &c. to be established as the proper boundary lines of the sections, &c.

The boundary lines not actually run, &c. to be ascertained in the manner prescribed.

3. Each section, &c., the contents whereof have been returned by the surveyor general, &c. to be considered as containing the exact quantity expressed in such returns.

The half sections, &c. the contents whereof have not been returned, &c. to be considered as containing the one half, &c. of the returned contents of the section.

So much of the act mentioned as provides the mode of ascertaining the true contents of sections, &c. repealed.

*Ante, chap. 69.

1st. All the corners marked in the surveys, returned by the surveyor general, or by the surveyor of the land south of the State of Tennessee, respectively, shall be established as the proper corners of sections, or subdivisions of sections, which they were intended to designate; and the corners of half and quarter sections, not marked on the said surveys, shall be placed, as nearly as possible, equidistant from those two corners which stand on the same line.

2d. The boundary lines, actually run and marked in the surveys returned by the surveyor general, or by the surveyor of the land south of the State of Tennessee, respectively, shall be established as the proper boundary lines of the sections or subdivisions for which they were intended; and the length of such lines, as returned by either of the surveyors aforesaid, shall be held and considered as the true length thereof. And the boundary lines which shall not have been actually run and marked as aforesaid shall be ascertained by running straight lines from the established corners to the opposite corresponding corners; but in those portions of the fractional townships, when no such opposite corresponding corners have been or can be fixed, the said boundary lines shall be ascertained by running from the established corners due north and south or east and west lines, as the case may be, to the watercourse, Indian boundary line, or other external boundary of such fractional township.

3d. Each section, or subdivision of section, the contents whereof shall have been, or, by virtue of the first section of this act, shall be, returned by the surveyor general, or by the surveyor of the public lands south of the State of Tennessee, respectively, shall be held and considered as containing the exact quantity expressed in such return or returns; and the half sections and quarter sections, the contents whereof shall not have been thus returned, shall be held and considered as containing the one half or the one fourth part, respectively, of the returned contents of the section of which they make part.

SEC. 3. *And be it further enacted*, That so much of the act entitled "An act making provision for the disposal of the lands in the Indiana Territory, and for other purposes,"* as provides the mode of ascertaining the true contents of sections, or subdivisions of sections, and prevents the issue of final certificates, unless the said contents shall have been ascertained, and a plot, certified by the district surveyor, lodged with the register, be, and the same is hereby, repealed.

Approved, February 11, 1805.

[See Part II, Nos. 85, 192, 193, 196, 209, 231, 395, 506, 626, 725, 750, 751, 752, 753, 796, 841, 905, 912, 922, 971, 972, 996.]

CHAP. 73.—An act further to amend an act entitled “An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee.”*

*See original act of 2d March, 1803; ante, chap. 62.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That persons who may have obtained, or shall obtain, certificates from the board of commissioners appointed to ascertain the claims to lands in the Mississippi Territory, shall be allowed three months after the respective date of such certificates, for entering the same with the register of the proper land office; and certificates thus entered shall have the same force and effect as if they had been duly entered with the said register on or before the first day of January, one thousand eight hundred and five.†

Persons obtaining certificates from the board, &c. appointed to ascertain claims to land in the Mississippi Territory, allowed three months after the date, &c. for entering them with the register, &c.

The certificates to have the same effect as if entered with the register on or before 1st of January, 1805.

†See ante, sec. 6. chap. 62.

SEC. 2. *And be it further enacted,* That the commissioners appointed to ascertain the claims to lands in the above-mentioned Territory, east of Pearl river, shall be authorized to grant certificates for lands lying in the island known by the name of Nannee Hubba, formed by the cut-off of the river Tombigbee and Alabama; and persons having claims for lands lying either in said island or east of the Tombigbee and Alabama rivers, shall be permitted to file the same with the register of the land office till the first day of May, one thousand eight hundred and five; and the commissioners shall decide on the same, in the same manner as if they had been presented before the thirty-first day of March, one thousand eight hundred and four.‡

The commissioners appointed to ascertain the claims to lands east of Pearl river, &c. authorized to grant certificates for lands in the island of Nannee Hubba, &c.

Persons having claims for lands lying in Nannee Hubba, &c. permitted to file them with the register till the 1st of May, 1805, &c.

‡See ante, sec. 5, chap. 62.

SEC. 3. *And be it further enacted,* That each of the last-mentioned commissioners shall be allowed at the rate of six dollars a day, for every day he shall attend subsequent to the first day of April, one thousand eight hundred and five: *Provided,* That such additional allowance shall not exceed five hundred dollars for each commissioner.

Each of the commissioners mentioned to be allowed at the rate of 6 dollars a day for every day he attends, &c.

SEC. 4. *And be it further enacted,* That the clerk of each of the boards of commissioners appointed to ascertain the claims to lands in the above-mentioned Territory shall be allowed at the rate of seven hundred and fifty dollars a year, from the time when he entered on the duties of his office to the time when the board shall adjourn *sine die*.

The clerk of each of the boards, &c. to be allowed at the rate of 750 dollars a year, &c.

SEC. 5. *And be it further enacted,* That persons claiming lands in the Mississippi Territory, by virtue of British grants, legally and fully completed, who may not have filed their claims with the proper register of the land office, in conformity with the provisions heretofore made for that purpose, may, until the first day of December, one thousand eight hundred and five, file such claims with the register of the land office west of Pearl river, and have the same recorded. And the said register shall, on or before the first day of January, one thousand eight hundred and six, make to the Secretary of the Treasury a full report of all the British grants thus recorded; which report shall immediately after be laid before Congress. The lands contained in such grants shall

Persons claiming lands in the Mississippi Territory, by virtue of British grants, legally and fully completed, who may not have filed their claims in conformity with the provisions heretofore made, &c. may file them, until the 1st of December, 1805, with the register of the land office west of Pearl river, &c.

The register to make to the Secretary of the Treasury a full report of British grants recorded, &c.

The lands in such grants not to be otherwise disposed of for a year, &c.

Persons neglecting to file the British grants, &c. neither those grants, nor any other evidence, &c. to be ever after admitted, &c.

not be otherwise disposed of until the end of one year after that time. And if any such person shall neglect to file such British grant, and to have the same recorded in the manner and time hereby provided, neither such grant, nor any other evidence of such claim, which shall not have been recorded as above directed, shall ever after be considered or admitted as evidence, in any court of the United States, against any grant derived from the United States, or against any title, legally and fully executed, derived from the Spanish Government, any act or acts to the contrary notwithstanding.

Approved, March 2, 1805.

[See Part II, Nos. 618, 768, 769, 773, 819, 824.]

CHAP. 74.—An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana.

Persons, &c. who, on the 1st of Oct. 1800, were resident within the territories ceded by the French republic, &c., and who had, prior, &c., obtained from the French or Spanish Governments, &c. any duly registered warrant, &c. for lands lying within the said territories, &c. to be confirmed, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person or persons, and the legal representatives of any person or persons, who, on the first day of October, in the year one thousand eight hundred, were resident within the territories ceded by the French republic to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, and who had, prior to the said first day of October, one thousand eight hundred, obtained from the French or Spanish Governments, respectively, during the time either of the said Governments had the actual possession of said territories, any duly registered warrant, or order of survey, for lands lying within the said territories, to which the Indian title had been extinguished, and which were on that day actually inhabited and cultivated by such person or persons, or for his or their use, shall be confirmed in their claims to such lands, in the same manner as if their titles had been completed: *Provided, however,* That no such incomplete title shall be confirmed, unless the person in whose name such warrant or order of survey had been granted was, at the time of its date, either the head of a family or above the age of twenty-one years; nor unless the conditions and terms on which the completion of the grant might depend shall have been fulfilled.*(1)

Proviso: no such incomplete title to be confirmed, unless the person, &c. was the head of a family, above the age of twenty-one, &c.

*Partly repealed. See act of March 2, 1802, section 1, chap. 22.

Persons, &c. who, being either the head of a family or twenty-one years of age, had, prior to the 30th of December, 1803, with the permission of the proper Spanish officer, &c. made an actual settlement on tracts of land, &c. not claimed by virtue of the preceding section, or

SEC. 2. *And be it further enacted,* That to every person, or to the legal representative or representatives of every person, who, being either the head of a family or twenty-one years of age, had, prior to the twentieth day of December, one thousand eight hundred and three, with the permission of the proper Spanish officer, and in conformity with the laws, usages, and customs, of the Spanish Government, made an actual settlement on a tract of land within the said

(1) See Part II, Nos. 20, 29, 64.

territories, not claimed by virtue of the preceding section, or of any Spanish or French grant made and completed before the first day of October, one thousand eight hundred, and during the time the Government which made such grant had the actual possession of the said territories, and who did, on the said twentieth day of December, one thousand eight hundred and three, actually inhabit and cultivate the said tract of land, the tract of land thus inhabited and cultivated shall be granted:* *Provided, however,* That not more than one tract shall be thus granted to any one person, and the same shall not contain more than one mile square, together with such other and further quantity as heretofore has been allowed for the wife and family of such actual settler, agreeably to the laws, usages, and customs, of the Spanish Government:† *Provided, also,* That this donation shall not be made to any person who claims any other tract of land in the said territories by virtue of any French or Spanish grant.

of any Spanish or French grant, completed before the 1st of October, 1800, etc. actually inhabiting, etc. to obtain the tracts inhabited, etc.

*See chap. 84.

Proviso; not more than one tract to be granted to one person, and not to contain more than one mile square, etc.

†See appendix No. 6.

SEC. 3. *And be it further enacted,* That, for the purpose of more conveniently ascertaining the titles and claims to land in the territory ceded as aforesaid, the Territory of Orleans shall be laid off into two districts, in such manner as the President of the United States shall direct; in each of which he shall appoint, in the recess of the Senate, but who shall be nominated at their next meeting, for their advice and consent, a register, who shall receive the same annual compensation, give security in the same manner and in the same sums, and whose duties and authorities shall, in every respect, be the same, in relation to the lands which shall hereafter be disposed of at their offices, as are by law provided with respect to the registers in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.‡ The President of the United States shall likewise appoint a recorder of land titles in the district of Louisiana, who shall give security in the same manner and in the same sums, and shall be entitled to the same annual compensation, as the registers of the several land offices.§

For the purpose of ascertaining titles, etc. the Territory of Orleans to be laid off into two districts, etc.

A register to be appointed for each district, etc.

Compensation, duties, and authorities, of the registers, etc.

‡See ante, chap. 54.

The President to appoint a recorder of land titles in the district of Louisiana, etc.

§See ante, chap. 54.

SEC. 4. *And be it further enacted,* That every person claiming lands in the above-mentioned territories, by virtue of any legal French or Spanish grant, made and completed before the first day of October, one thousand eight hundred, and during the time the Government which made such grant had the actual possession of the territories, may, and every person claiming lands in the said territories, by virtue of the two first sections of this act, or by virtue of any grant or incomplete title, bearing date subsequent to the first day of October, one thousand eight hundred, shall, before the first day of March, one thousand eight hundred and six, deliver to the register of the land office, or recorder of land titles, within whose district the land may be, a notice, in writing, stating the nature and extent of his claims, together with a plat of the tract or tracts|| claimed; and shall, also, on or be-

Persons claiming lands, etc. by virtue of legal French or Spanish grants completed before the 1st of October, 1800, etc. and persons claiming, etc. by virtue of the two first sections of this act, etc. to deliver, before the 1st of March, 1806, to the register or recorder, a notice in writing stating the nature and extent of their claims, etc.

||See sec. 3, chap. 79.

*See sec. 3, chap. 84.

And also to deliver, for the purpose of being recorded, every grant, order of survey, &c. The register, &c. to record, &c.

Proviso: where lands are claimed by virtue of a complete French or Spanish grant, &c. it is not necessary for the claimant to have any other evidence recorded, except the original grant, &c.

All other conveyances, &c., to be deposited with the register or recorder, &c.

If any person neglects to deliver notice in writing, &c. all his right, derived from the first two sections of this act, to become void, &c.

Any incomplete grant, warrant, &c. not recorded, &c., not to be admitted as evidence, &c.

The register and recorder to commence the duties enjoined on them, on or before the 1st Sept. 1805, &c.

Two persons, to be appointed by the President alone, for each of the districts mentioned, together with the register or recorder, to be commissioners for the purpose of ascertaining the rights of persons claiming, &c.

The commissioners to take and subscribe an oath.

Form of the oath.

The commissioners to meet in their respective districts, &c. on or before the 1st Dec. 1805, &c. and not to adjourn for a longer time than three days, &c. until they have completed the business of their appointment.

fore that day,* deliver to the said register or recorder, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim; and the same shall be recorded by the register or recorder, or by the translator hereinafter mentioned, in books to be kept by them for that purpose, on receiving from the parties at the rate of twelve and a half cents for every hundred words contained in such written evidence of their claim: *Provided, however,* That where lands are claimed by virtue of a complete French or Spanish grant as aforesaid, it shall not be necessary for the claimant to have any other evidence of his claim recorded, except the original grant or patent, together with the warrant or order of survey, and the plat; but all the other conveyances or deeds shall be deposited with the register or recorder, to be by them laid before the commissioners hereinafter directed to be appointed, when they shall take the claim into consideration. And if such person shall neglect to deliver such notice, in writing, of his claim, together with a plat, as aforesaid, or cause to be recorded such written evidence of the same, all his right, so far as the same is derived from the two first sections of this act, shall become void, and forever thereafter be barred; nor shall any incomplete grant, warrant, order of survey, deed of conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence, in any court of the United States, against any grant derived from the United States. The said register and recorder shall commence the duties hereby enjoined on them on or before the first day of September next, and continue to discharge the same, at such place in their respective districts as the President of the United States shall direct.

SEC. 5. *And be it further enacted,* That two persons, to be appointed by the President alone, for the district of Louisiana, and two persons, to be in the same manner appointed, for each of the districts directed by this act to be laid off in the Territory of Orleans, shall, together with the register or recorder of the district for which they may be appointed, be commissioners for the purpose of ascertaining, within their respective districts, the rights of persons claiming under any French or Spanish grant as aforesaid, or under the two first sections of this act. The said commissioners shall, previous to their entering on the duties of their appointment, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer the same: "I, _____, do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed on me by an act of Congress entitled 'An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana,' to the best of my skill and judgment." It shall be the duty of the said commissioners to meet in their respective districts, at such place as the President shall have directed therein for the residence

of the register or recorder, on or before the first day of December next, and they shall not adjourn to any other place, nor for a longer time than three days, until the first day of March, one thousand eight hundred and six, and until they shall have completed the business of their appointment.

Each board, or a majority of each board, shall, in their respective districts, have power to hear and decide, in a summary manner, all matters respecting such claims; also, to administer oaths, to compel the attendance of and examine witnesses, and such other testimony as may be adduced; to demand and obtain, from the proper officer and officers, all public records, in which grants of land, warrants, or orders of survey, or any other evidence of claims to land, derived from either the French or Spanish Governments, may have been recorded; to take transcripts of such record or records, or of any part thereof; to have access to all other records of a public nature, relative to the granting, sale, transfer, or titles of lands, within their respective districts; and to decide, in a summary way, according to justice and equity, on all claims filed with the register or recorder, in conformity with the provisions of this act, and on all complete French or Spanish grants the evidence of which, though not thus filed, may be found of record on the public records of such grants; which decisions shall be laid before Congress in the manner hereinafter directed, and be subject to their determination thereon:

Provided, however, That nothing in this act contained shall be construed so as to recognise any grant or incomplete title bearing date subsequent to the first day of October, one thousand eight hundred, or to authorize the commissioners aforesaid to make any decision thereon. The said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter in a book, to be kept for that purpose, full and correct minutes of their proceedings and decisions, together with the evidence on which such decisions are made; which books and papers, on the dissolution of the boards, shall be deposited in the respective offices of the registers of the land offices, or of the recorder of land titles, of the district; and the said clerk shall prepare two transcripts of all the decisions made by the commissioners in favor of the claimants to land, both of which shall be signed by a majority of the said commissioners, and one of which shall be transmitted to the officer exercising in the district the authority of surveyor general, and the other to the Secretary of the Treasury. It shall likewise be the duty of the said commissioners to make, to the Secretary of the Treasury, a full report of all the claims filed with the register of the proper land office or recorder of land titles, as above directed, which may have been rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; which reports, together with the transcripts of the decisions of the commissioners in favor of the claimants, shall be laid, by the Secretary of the Treasury,

A majority of each board to hear and determine in a summary manner, to administer oaths, compel the attendance of and examine witnesses, &c.

The decisions to be laid before Congress, &c.

Provido; nothing in this act to be construed to recognise any grant, &c. bearing date subsequent to the 1st Oct. 1800, &c.

The boards empowered to appoint clerks, &c.

Books and papers, on the dissolution of the boards, to be deposited in the offices of the registers, &c.

The clerk to prepare two transcripts, &c.

Both transcripts to be signed by a majority of the commissioners, transmitted, &c.

The commissioners to make to the Secretary of the Treasury a full report of all the claims filed, &c. and rejected, &c.

The reports, &c. to be laid before Congress, &c.

When any Spanish or French grant, etc. is produced to either of the boards, for lands which were not, at the date, etc. inhabited, etc. by or for the use of the grantee, &c. the commissioners are not bound to consider such grant, etc. as conclusive evidence of title, but may require other proof, etc.

Each commissioner and clerk allowed a compensation of \$2,000 in full, etc.

Each clerk to take and subscribe an oath.

Form of the oath.

The oath to be entered on the minutes, etc.

The Secretary of the Treasury authorized to employ three agents, for a compensation not to exceed 1,500 dollars each, to appear before the commissioners, in behalf of the United States, to investigate claims, etc.

The agent for the district of Louisiana to investigate the titles, etc. if any, to lead mines, etc.

Each board authorized to employ a translator of the Spanish and French languages, etc.

The translator to receive, for the recording, etc. the fees provided, etc. and may be allowed not exceeding 50 dollars per month; provided, etc.

before Congress, at their next ensuing meeting. When any Spanish or French grant, warrant, or order of survey, as aforesaid, shall be produced to either of the said boards, for lands which were not, at the date of such grant, warrant, or order of survey, or within one year thereafter, inhabited, cultivated, or occupied, by or for the use of the grantee; or whenever either of the said boards shall not be satisfied that such grant, warrant, or order of survey, did issue at the time when the same bears date, but that the same is antedated or otherwise fraudulent, the said commissioners shall not be bound to consider such grant, warrant, or order of survey, as conclusive evidence of the title, but may require such other proof of its validity as they may deem proper. Each of the commissioners and clerks aforesaid shall be allowed a compensation of two thousand dollars, in full for his services as such; and each of the said clerks shall, previous to his entering on the duties of his office, take and subscribe the following oath or affirmation, to wit: "*I, ———, do solemnly swear (or affirm) that I will truly and faithfully discharge the duties of a clerk to the board of commissioners for examining the claims to land, as enjoined by an act of Congress entitled 'An act ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana,'*" which oath or affirmation shall be entered on the minutes of the board.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to employ three agents, one for each board, and whose compensation shall not exceed one thousand five hundred dollars each, for the purpose of appearing before the commissioners, in behalf of the United States, to investigate the claims for lands, and to oppose all such as said agents may deem fraudulent and unfounded. It shall also be the duty of the said agent for the district of Louisiana to examine into and investigate the titles and claims, if any there be, to the lead mines within the said district, to collect all the evidence within his power, with respect to the claims to and value of the said mines, and to lay the same before the commissioners, who shall make a special report thereof, with their opinions thereon, to the Secretary of the Treasury, to be by him laid before Congress at their next ensuing session. The said board of commissioners shall each be authorized to employ a translator of the Spanish and French languages, to assist them in the despatch of the business which may be brought before them, and for the purpose of recording Spanish and French grants, deeds, or other evidences of claims, on the register's books. The said translator shall receive, for the recording done by him, the fees already provided by law, and may be allowed not exceeding fifty dollars for every month he shall be employed: *Provided*, That the whole compensation, other than that arising from fees, shall not exceed six hundred dollars.

SEC. 7. *And be it further enacted,* That the powers vested by law in the surveyor of the lands of the United States south of the State of Tennessee shall extend over all the public lands of the United States to which the Indian title has been or shall hereafter be extinguished, within the said Territory of Orleans; and it shall be the duty of the said surveyor to cause such of the said lands as the President of the United States shall expressly direct, to be surveyed and divided, as nearly as the nature of the country will admit, in the same manner and under the same regulations as is provided by law in relation to the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.*

The powers vested in the surveyor of lands south of Tennessee to extend over all the public lands, &c. within the Territory of Orleans.

The surveyor of public lands south of Tennessee to cause such of the lands as the President may direct to be surveyed and divided, &c.

*See ante, chap. 54.

SEC. 8. *And be it further enacted,* That the location or locations of lands which Major General Lafayette is, by law, authorized to make, on any lands, the property of the United States, in the Territory of Orleans, shall be made with the register or registers of the land offices established by this act in the said Territory: the surveys thereof shall be executed under the authority of the surveyor of the lands of the United States south of Tennessee; and a patent or patents therefor shall issue, on presenting such surveys to the Secretary of the Treasury, together with a certificate of the proper register or registers, stating that the land is not rightfully claimed by any other person: *Provided,* That no location or survey made by virtue of this section shall contain less than one thousand acres, nor include any improved lands or lots, salt spring, or lead mine.

The locations of lands which Gen. Lafayette is authorized to make in the Territory of Orleans, to be made with the registers established by this act, &c.

Provido; no location made by virtue of this section to contain less than 1,000 acres, nor include improved lands, salt spring, &c.

SEC. 9. *And be it further enacted,* That a sum not exceeding fifty thousand dollars, to be paid out of any unappropriated moneys in the Treasury, be, and the same is hereby, appropriated for the purpose of carrying this act into effect.

Not exceeding 50,000 dollars appropriated for carrying this act into effect.

Approved, March 2, 1805.

[See Part II, Nos. 19, 619, 620, 621, 622, 629, 630, 631, 633, 634, 637, 646, 678, 703, 710, 716, 721, 726, 727, 754, 755, 756, 757, 758, 760, 766, 767, 825, 827, 843, 844, 846, 848, 849, 852, 853, 854, 858, 859, 860, 861, 862, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 913, 914, 915, 918, 921, 923, 929, 940, 949, 952, 954, 953, 955.]

CHAP. 75.—An act to authorize the Secretary of War to issue military land warrants, and for other purposes.†

†See act of April 15, 1806, chap. 80.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he hereby is, authorized, from and after the passing of this act, to issue warrants for military bounty lands to the sixty-three persons who have exhibited their claims, and produced satisfactory evidence to substantiate the same, to the Secretary of War; and, also, to such persons as shall, before the first day of April next, produce to him satisfactory evidence of the validity of their claims, in pursuance of the act of the twenty-

The Secretary of War authorized to issue warrants for military bounty lands to the sixty-three persons who have exhibited their claims, &c.

The Secretary to issue warrants also to such persons as, before the 1st of April, 1806, produce satisfactory evidence, &c. in pursuance of the act mentioned.

sixth of April, eighteen hundred and two, entitled "An act in addition to an act entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.'""*

*Ante, chapter 58.

The holders, &c. of land warrants issued by virtue of the preceding section, may locate them only on unlocated parts of the fifty quarter townships, &c. reserved for original holders, &c.

SEC. 2. *And be it further enacted*, That the holders or proprietors of the land warrants issued by virtue of the preceding section shall and may locate their respective warrants only on any unlocated parts of the fifty quarter townships and the fractional quarter townships which had been reserved for original holders, by virtue of the fifth section of an act entitled "An act in addition to an act entitled 'An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.'""†

†Ante, chapter 51.

The act mentioned continued until 1st March, 1806.

SEC. 3. *And be it further enacted*, That the act entitled "An act in addition to an act entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,'""‡ approved the twenty-sixth day of April, eighteen hundred and two, be, and the same is hereby, continued in force until the first day of March, eighteen hundred and six.

‡Ante, chapter 58.

Approved, March 2, 1805.

[See Part II, Nos. 2, 48, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 76.—An act supplementary to the act entitled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes."§

§See original act of 26th of March, 1804, ante, chapter 69.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the lands lately purchased from the Indian tribes of the Wabash, and lying between the rivers Wabash and Ohio and the road leading from the falls of the river Ohio to Vincennes, shall be attached to and made a part of the district of Vincennes, and be offered for sale at that place, under the same regulations, at the same price, and on the same terms, as other lands lying within the said district.

The lands lately purchased from the Indian tribes of the Wabash, &c., to be attached to the district of Vincennes, and offered for sale, &c.

As many tracts of land lying north and west of the Indian boundary established by the treaty of Greenville, &c., as the President may direct, &c., to be surveyed and subdivided as other public lands, and offered for sale at Detroit, &c.

SEC. 2. *And be it further enacted*, That such and so many of the tracts of land lying north and west of the Indian boundary established by the treaty of Greenville, which were ceded by that treaty to the United States, as the President of the United States shall direct, shall be surveyed and subdivided in the same manner as the other public lands of the United States, and shall be offered for sale at Detroit, or at such of the other land offices established by law in the State of Ohio, or in the Indiana Territory, as the President of the United States shall judge most expedient, under the same regulations, at the same price, and on the same terms, as other lands lying within the same district.

SEC. 3. *And be it further enacted,* That so much of the tract of land lately purchased from the Indian tribes known by the name of Sacs and Foxes, as the President of the United States shall think expedient and shall direct, shall be attached to and made a part of the district of Kaskaskias, and shall be offered for sale at that place, under the same regulations, at the same price, and on the same terms, as other lands lying within the said district.

As much of the tract of land purchased from the Sacs and Foxes, as the President may direct, to be attached to the district of Kaskaskias, and offered for sale, &c.

SEC. 4. *And be it further enacted,* That the lands lying within the districts of Vincennes, Kaskaskias, and Detroit, which are claimed by virtue of French or British grants, legally and fully executed, or by virtue of grants issued under the authority of any former act of Congress, by either of the Governors of the Northwest or Indiana Territories, and which had already been surveyed by a person authorized to execute such surveys, shall, whenever it shall be found necessary to resurvey the same, for the purpose of ascertaining the adjacent vacant lands, be surveyed at the expense of the United States, any act to the contrary notwithstanding.

Lands lying within the districts of Vincennes, Kaskaskias, and Detroit, claimed by virtue of French or British grants, legally executed, &c., or under former acts of Congress, &c., and already surveyed, &c., whenever it is found necessary to resurvey them, &c. to be surveyed at the expense of the United States, &c.

SEC. 5. *And be it further enacted,* That persons claiming lands in either of the said three districts, either under legal grants derived from the French or British Governments, or by virtue of actual possession and improvement, or for any other account whatever, may, until the first day of November next, give notice, in writing, to the register of the land office, of their claims, and have the evidence of the same recorded, in the manner and on payment of the fees provided by the act to which this act is a supplement; and the right of any person neglecting to give such notice, in writing, of his claim, and to have the evidence of the same recorded, shall become void and forever be barred.

Persons claiming lands in the district of Vincennes, Kaskaskias, or Detroit, &c., allowed until the 1st. Nov. 1835, to give notice, in writing, to the register, &c.

The rights of persons neglecting to give notice to become void, &c.

The commissioners appointed for the purpose of examining the claims of persons claiming lands in the said three districts shall, in their respective districts, have the same powers and perform the same duties, in relation to the claims thus filed, as if notice of the same had been given before the first day of January last, and as was provided by the act to which this act is a supplement, in relation to the claims therein described.* It shall be the duty, likewise, of the clerk of each board to prepare two transcripts of all the decisions made by the said commissioners in favor of the claimants, and to transmit one to the surveyor general and one to the Secretary of the Treasury. It shall also be the duty of the said commissioners, respectively, to make to the Secretary of the Treasury a report of all the claims, filed with the register of the land office, which they may have rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; and they shall, in relation to any such rejected claims which were founded on possession and actual settlement and improvement, particularly state the date of the improvement, and the quantity, situation, and bound-

The commissioners for examining claims to lands in the three districts mentioned, to have the same powers, and perform the same duties, in relation to claims filed, as if notice had been given before the 1st. Jan. 1835, &c.

*See ante, section 3, chap. 69.

The clerk of each board to prepare two transcripts of the decisions, and to transmit one to the surveyor general, and one to the Secretary of the Treasury.

The commissioners to report the rejected claims to the Secretary of the Treasury, &c.

The reports and transcripts to be laid before Congress, &c.

The lands, &c. not to be otherwise disposed of, until the decision of Congress thereon.

Each commissioner and clerk allowed an additional compensation of \$500, in full, &c.

Each register, &c. allowed a further sum of \$500, in full for translating and recording, &c.

The Governor of Michigan to act as a superintendent of sales.

*See ante, section 5, chapter 69.

All the sections heretofore reserved, &c., with the exception of No. 16, &c., to be offered for sale, &c.

Provido; the sections to be previously offered to the highest bidder at public sales, &c.

Provido; no reserved sections to be sold for less than \$3 per acre.

The expenses which may be incurred by virtue of this act, to be defrayed out of the sums appropriated for defraying the expenses incident to the surveying of the public lands.

aries, of the land claimed. Those reports, together with the transcripts of the decisions of the commissioners in favor of claimants, shall be laid by the Secretary of the Treasury before Congress at their next session: and the lands the claims to which shall have been affirmed by the commissioners, as well as those the claims to which, though rejected by the commissioners, were derived from actual possession, improvement, and settlement, shall not be otherwise disposed of until the decision of Congress thereupon shall have been made. Each of the said commissioners, and each of the clerks of the respective boards, shall be allowed an additional compensation of five hundred dollars, in full for his services as such, in relation to such claims; and each of the registers of the land offices, for the said three districts, shall be allowed a further sum of five hundred dollars, as a compensation in full for translating and recording, or causing to be translated and recorded, grants, deeds, or other evidences of claims, in the French language.

SEC. 6. *And be it further enacted*, That the Governor of the Michigan Territory shall act as one of the superintendents of the sales of public lands at Detroit, in lieu of the Governor of the Indiana Territory.*

SEC. 7. *And be it further enacted*, That all the sections heretofore reserved for the future disposition of Congress, and lying within either of the districts established for the disposal of public lands in the State of Ohio, with the exception of the section number sixteen, of the salt springs, and lands reserved for the use of the same, and of the other sections or tracts of land otherwise heretofore specially appropriated, shall be offered for sale in that district within which such reserved sections may lie, on the same terms and under the same regulations as other lands in the same district: *Provided*, That such sections shall previously be offered to the highest bidder at public sales, to be held under the superintendence of the register and receiver of the land offices, respectively, to which they are attached, on the same terms as has been provided for the public sales of the other public lands of the United States, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose: *And provided, also*, That no such heretofore reserved section shall be sold, either at public or private sale, for less than eight dollars per acre.

SEC. 8. *And be it further enacted*, That the expenses which may be incurred by virtue of this act shall be defrayed out of the sums which have been or may hereafter be appropriated for defraying the expenses incident to the surveying and disposal of the public lands of the United States in the Mississippi and Indiana Territories.

Approved, March 3, 1805.

CHAP. 77.—An act to repeal, in part, the fourth section of an act entitled “An act to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned.”*

*See the act of 3d March, 1796, chap. 40.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the fourth section of an act entitled “An act to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned,”† as imposes the condition of an actual settlement on the said inhabitants, or any of them, their heirs or assigns, be, and the same is hereby, repealed. And in every case where a patent has issued, in conformity with the said fourth section, to any of the inhabitants aforesaid, their heirs or assigns, the conditions aforesaid inserted in any such patent shall be considered null and void, and the fee simple be vested, to all intents and purposes, in the person to whom such patent has been issued, his or her heirs or assigns.

So much of the 4th section of the act mentioned, as imposes the condition of actual settlement, repealed.
†Chapter 40.

Where patents have issued in conformity with the 4th section referred to, the conditions, &c. to be considered null and void.

Approved, February 21, 1806.

CHAP. 78.—An act authorizing the sale of a tract of land in the town of Cincinnati, and State of Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the disposal of a certain tract or lot of land belonging to the United States in the town of Cincinnati, on the Ohio, being the same on which Fort Washington was erected, the Secretary of the Treasury shall cause the said tract to be surveyed and laid off into town lots, streets, and avenues, in such manner and of such dimensions as he may judge proper, conforming, as near as may be, to the original plan of the town: when the survey is completed, a plat thereof shall be returned to the surveyor general, on which the lots shall be denominated by progressive numbers, who shall therefrom cause two copies to be made, one to be transmitted to the Secretary of the Treasury, and the other to the register of the land office at Cincinnati; on the receipt of which plat, the Secretary of the Treasury shall cause the said town lots to be offered to the highest bidder at public sale, to be held at Cincinnati under the superintendence of the register and receiver of the land office in the district of Cincinnati, on the same terms and conditions as have been provided for the public sale of the public lands of the United States. Six weeks' notice shall be given of the day of sale, in at least two newspapers published in the State of Ohio.

For the disposal of the lot of land in the town of Cincinnati, on which Fort Washington was erected, the Secretary of the Treasury to cause it to be laid off into town lots, &c.

A plat to be returned to the surveyor general, and the lots numbered, &c.

One copy of the plat to be transmitted to the Secretary of the Treasury, and another to the register at Cincinnati; and the Secretary of the Treasury to cause the lots to be offered at public sale, &c.

Six weeks' notice to be given of the day of sale, &c.

Approved, February 28, 1806.

CHAP. 79—An act extending the powers of the surveyor general to the Territory of Louisiana, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

The powers vested in the surveyor general to extend over all the public lands in the Territory of Louisiana, &c.

The surveyor general to appoint deputies, &c.

One of them to be designated as principal deputy, &c.

The deputies to take an oath.

The principal deputy to reside and keep an office in the Territory, and execute, &c. surveys, &c.

That the powers vested by law in the surveyor general shall extend over all the public lands of the United States in the Territory of Louisiana, to which the Indian title has been or hereafter shall be extinguished. It shall be the duty of the said surveyor general to appoint a sufficient number of skilful surveyors as his deputies in the said Territory, one of whom he shall, with the approbation of the Secretary of the Treasury, designate as his principal deputy for the same; which said deputies shall, severally, take an oath or affirmation *truly and faithfully to discharge the duties of their respective offices.* The said principal deputy shall reside and keep an office in the said Territory, and shall, under the superintendence of the surveyor general, execute, or cause to be executed by the other deputies, such surveys as may hereafter be authorized by law, or as he may be directed to execute by the commissioners appointed for the purpose of ascertaining the titles and claims to land within the Territory aforesaid; and shall generally perform therein, in conformity with the regulations and instructions of the said surveyor general, the duties imposed by law on the said surveyor general.

Plots, &c. pertaining to the office of surveyor general under the Spanish Government, within the limits of the Territory, &c. to be delivered to the principal deputy, &c.

No plot of survey admitted as evidence, unless certified by the principal deputy, &c.

SEC. 2. *And be it further enacted,* That all the plots of surveys, and all other papers and documents pertaining or which did pertain to the office of surveyor general under the Spanish Government, within the limits of the Territory aforesaid, or to any other office heretofore established or authorized for the purpose of executing or recording surveys of lands within the said limits, shall be delivered to the principal deputy aforesaid; and no plot of survey shall be admitted as evidence in any court of justice, unless certified by the said principal deputy to be a true copy of the record in his office.

So much of the act mentioned as makes it the duty of claimants to lands within the Territory of Louisiana to deliver to the recorder a plot, &c. repealed, so far, &c.

*Chapter 74.

The commissioners for ascertaining titles, &c. within Louisiana or Orleans, to direct the officer exercising the powers of surveyor general, &c. to execute such surveys, &c.

SEC. 3. *And be it further enacted,* That so much of the act entitled "An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana,"* as makes it the duty of every claimant to lands within the Territory of Louisiana to deliver to the recorder of land titles a plot of the tract or tracts claimed by him, be, and the same is hereby, repealed, so far as relates to claimants whose tracts had not been surveyed by the proper officer, under the Spanish Government, prior to the twentieth day of December, one thousand eight hundred and three. And the commissioners appointed for ascertaining the titles and claims to lands, within either the Territory of Louisiana or that of Orleans, are hereby authorized to direct the officer exercising the powers of surveyor general within the same to execute such surveys as they may think necessary for the purpose of deciding on claims presented

for their decision: *Provided*, That the expense of executing such surveys shall be defrayed by the parties claiming the land, unless the same be claimed by a legal French or Spanish grant, made and completed before the first day of October, one thousand eight hundred: *And provided, also, and it is hereby further enacted*, That every such survey, as well as every other survey, by whatever authority heretofore executed, those of the above-mentioned legal and complete titles only excepted, shall be held and considered as private surveys only; and all the tracts of land the titles to which may be ultimately confirmed by Congress, in conformity with the provisions of the act above mentioned, shall, prior to the issuing of patents, be resurveyed, if judged necessary, under the authority of the person exercising the powers of surveyor general, and at the expense of the parties. (1)

SEC. 4. *And be it further enacted*, That the surveyor general shall fix the compensation of the deputy surveyors, chain-carriers, and axe-men, in the Territory of Louisiana: *Provided*, That the whole expense of surveying and marking the lines, whether paid by the United States or by individuals, shall not exceed three dollars per mile, for every mile that shall be actually run, or surveyed and marked. And the principal deputy aforesaid shall be entitled to receive, from individuals, the following fees, that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of any plot of a survey in his office, twenty-five cents.

Approved, February 28, 1806.

(1) Part II, No. 20.

[See Part II, Nos. 19, 29, 395, 624, 678, 754, 755, 756, 757, 758, 760, 766, 767, 827, 844, 846, 843, 848, 849, 852, 854, 858, 859, 860, 861, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 914, 915, 928, 929, 940, 949, 953, 955.]

proviso; the expense of executing the surveys to be defrayed by the parties claiming, unless, &c.

Every such survey, except, &c. to be considered as a private survey, &c.

All the tracts the titles to which may be ultimately confirmed by Congress, in conformity with the provisions of the act referred to, prior, &c. to be resurveyed, if judged necessary, &c.

The surveyor general to fix the compensation of the deputy surveyors, chain-carriers, &c. in the Territory of Louisiana, &c., provided the whole expense of surveying, &c. shall not exceed \$3 per mile, &c.

CHAP. 80.—An act to authorize the Secretary of War to issue land warrants, and for other purposes.*

*See act of 21st March, 1803, chap. 37.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and eight, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued, and not yet satisfied, shall and may be located, in the names of the holders or proprietors thereof, at any time prior to the first day of October, one thousand eight hundred and eight, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants.

The Secretary of War authorized to issue military land warrants to persons who, before, &c. produce evidence, &c.

The warrants, &c. may be located, in the names of the holders, &c. at any time prior to the 1st Oct. 1808, on any part of the fifty quarter townships, &c. reserved, &c.

The surveyor general to cause so much of the fifty quarter townships, &c. to be surveyed, as may be located according to law, &c.

Provido; the whole expense of surveying not to exceed \$3 for every mile, &c.

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor general, under the direction of the Secretary of the Treasury, to cause to be surveyed so much of the fifty quarter townships and the fractional quarter townships aforesaid, as have been, or hereafter may be, located according to law, in conformity with the locations made on the plats of the said quarter townships: *Provided,* The whole expense of surveying the same shall not exceed three dollars for every mile actually surveyed.

Approved, April 15, 1806.

[Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237, 761, 762, 763.]

CHAP. 81.—An act to suspend the sale of certain lands in the State of Ohio and the Indiana Territory.

The operation of the 6th condition of the 5th section of the act mentioned, suspended until the 1st of Oct. 1806, in favor of purchasers who exhibit proof that they were actual settlers at the time of passing this act, &c.

*Chapter 54.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the operation of the sixth condition of the fifth section of the act entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United States northwest of the Ohio, and above the mouth of Kentucky river,'"* be, and the same is hereby, suspended until the first day of October next, in favor of such purchasers of lands under the said act who shall exhibit satisfactory proof, to the register and receiver of public moneys in the respective districts where they reside, that they were actual settlers on the land so purchased at the time of passing this act.

Approved, April 15, 1806.

[See Part II, No. 202.]

CHAP. 82.—An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same.

Line established for defining the limits of the vacant and unappropriated lands in the State of Tennessee, &c.

Description of the line.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of defining the limits of the vacant and unappropriated lands in the State of Tennessee, hereafter to be subject to the sole and entire disposition of the United States, the following line be, and hereby is, established, to wit: Beginning at the place where the eastern or main branch of Elk river shall intersect the southern boundary line of the State of Tennessee; from thence, running due north, until said line shall intersect the northern or main branch of Duck river; thence, down the waters of Duck river, to the military boundary line, as established by the seventh section of an act of the State of North Carolina, en-

titled "An act for the relief of the officers and soldiers of the continental line, and for other purposes," (passed in the year one thousand seven hundred and eighty-three;) thence, with the military boundary line, west, to the place where it intersects the Tennessee river; thence, down the waters of the river Tennessee, to the place where the same intersects the northern boundary line of the State of Tennessee.

SEC. 2. *And be it further enacted*, That, upon the Senators and Representatives from the State of Tennessee, by an instrument signed and sealed by them, respectively, making known that, in pursuance of the power in them vested by an act of the General Assembly of the State of Tennessee, entitled "An act to appoint agents to settle the dispute between this State and the United States, relative to the vacant and unappropriated lands within this State, and to procure the relinquishment of the claim of the United States to the same," and by a resolution of the Senate and House of Representatives of the said State of Tennessee, passed in the year one thousand eight hundred and two, as instructions therein, they do, for and in behalf of the State of Tennessee, and in consideration of the provisions made in this act, agree and declare that all right, title, and claim, which the State of Tennessee hath to the lands lying west and south of the line hereinbefore established, within the limits of the State of Tennessee, shall thereafter forever cease; and that the lands aforesaid shall be and remain at the sole and entire disposition of the United States, and shall be exempted from every disposition or tax, made by order or under the authority of the State of Tennessee, while the same shall remain the property of the United States, and for the term of five years after the same shall be sold; which said instrument shall be approved by the Senate of the United States, and entered at large in their journal, and deposited in the office of the Secretary of State: the United States do thereupon cede and convey to the State of Tennessee all right, title, and claim, which the United States have to the territory of the lands lying east and north of the line hereinbefore established within the limits of the State of Tennessee, subject to the same conditions as are contained in the act of the General Assembly of the State of North Carolina, entitled "An act for the purpose of ceding to the United States of America certain western lands therein described." And the said State of Tennessee shall thereupon have as full power and authority to issue grants and perfect titles of all lands lying east and north of the before-described line within the limits of the said State, as Congress now have, or the State of Tennessee might have, by virtue of an act of the State of North Carolina, entitled "An act to authorize the State of Tennessee to perfect titles to lands reserved to this State by the cession act," to which said act the assent of Congress is hereby given, so far as is necessary to carry into

Upon the Senators and Representatives from Tennessee, by an instrument signed and sealed, &c. in behalf of that State, declaring that all right, &c. which Tennessee hath to the lands lying west and south of the line established, shall forever cease, and that the lands shall remain at the sole disposition of the United States, &c. the United States thereupon cede and convey to Tennessee all claim, &c. to the lands lying east and north of the line, &c.

The State of Tennessee to have full power to issue grants and perfect titles of lands lying east and north of the line described, &c. The assent of Congress given to an act of the State of North Carolina, authorizing the State of Tennessee to perfect titles to lands reserved, &c. subject to the conditions stated.

effect the objects of this compact; subject, nevertheless, to the following express conditions, that is to say :

1. Entries of lands, &c. which might be removed, &c. to be located, and the titles perfected, within the territory ceded to Tennessee.

First. That all entries of lands, rights of location, and warrants of surveys, and all interfering locations, which might be removed by the aforesaid act of cession of the State of North Carolina, and which are good and valid in law, and which were not actually located west and south of the hereinbefore-described line before the twenty-fifth day of February, one thousand seven hundred and ninety, and all interfering grants which are good and valid in law, and which have been located east and north of the said line, shall be located, and the titles thereto perfected, within the territory hereby ceded to the State of Tennessee.

2. The State of Tennessee to appropriate 100,000 acres, in one entire tract, &c. for the use of two colleges, &c.

Secondly. That the State of Tennessee shall appropriate one hundred thousand acres, which shall be located in one entire tract, within the limits of the lands reserved to the Cherokee Indians by an act of the State of North Carolina, entitled "An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," passed in the year one thousand seven hundred and eighty-three, and shall be for the use of two colleges, one in East and one in West Tennessee, to be established by the Legislature thereof: and one hundred thousand acres, in one tract, within the limits last aforesaid, for the use of academies, one in each county in said State, to be established by the Legislature thereof; which said several tracts shall be located on lands to which the Indian title has been extinguished, and subject to the disposition of the Legislature of the State, but shall not be granted or sold for less than two dollars per acre. And the proceeds of the sales of the lands aforesaid shall be vested in funds for the respective uses aforesaid, forever. And the State of Tennessee shall, moreover, in issuing grants and perfecting titles, locate six hundred and forty acres to every six miles square, in the territory hereby ceded, where existing claims will allow the same, which shall be appropriated for the use of schools for the instruction of children, forever: *Provided*, That nothing contained in this act shall be construed to affect the Indian title, or to subject the United States to the expense of extinguishing the same. *And provided, also*, That the lowest price of all lands granted or sold within the ceded territory shall be the same as shall be established by Congress for the lands of the United States. *And provided, nevertheless*, That the people residing in said State, south of French Broad and Holston, and west of Big Pigeon rivers, provided for by the constitution of the State of Tennessee, shall be secured in their respective rights of occupancy and pre-emption, and shall receive titles for such quantities as they may respectively claim, including their improvements, not exceeding six hundred and forty acres each, nor exceeding the quantities they have heretofore claimed, respectively, according to their conditional lines, where such have been

And 100,000 acres, in one tract, &c. for the use of academies, one in each county in the State, &c.

The State of Tennessee, in issuing grants, &c. to locate 640 acres to every six miles square, where, &c. for the use of schools, &c.

Proviso; nothing in this act to affect the Indian title, &c.

Proviso; the lowest price of lands sold within the ceded territory to be the same as established by Congress, &c.

Proviso; the people residing in Tennessee, south of French Broad, &c. to be secured in their respective rights, and receive titles for the quantities they claim, &c.

established, at a price not less than one dollar per acre. *And provided, further*, That nothing herein contained shall be construed to enable any person or persons, until authorized by the Legislature of the State of Tennessee, to locate any warrant, issued under the authority of the State of North Carolina, within the limits of the lands reserved to the Cherokee Indians by the fifth section of the act of said State entitled "An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," passed in the year one thousand seven hundred and eighty-three.

Proviso; nothing herein to enable any person, until authorized by the Legislature of Tennessee, to locate any warrant issued under the authority of North Carolina, within the limits of the lands reserved to the Cherokees, &c.

SEC. 3. *And be it further enacted*, That if the territory hereinbefore ceded to the State of Tennessee shall not contain a sufficient quantity of land fit for cultivation, according to the true intent and meaning of the original act of cession, including the lands within the limits reserved by the State of North Carolina to the Cherokee Indians, to perfect all existing legal claims charged thereon by the conditions contained in this act of cession, Congress will hereafter provide by law for perfecting such as cannot be located in the territory aforesaid, out of the lands lying west or south of the before-described line.

If the territory ceded to Tennessee should not contain a sufficient quantity of land, &c. to perfect existing legal claims charged thereon, &c. Congress to provide by law, &c.

Approved, April 18, 1806.

[See Part II, No. 395.]

CHAP. 83.—An act to repeal so much of any act or acts as authorize the receipt of evidences of the public debt in payment for lands of the United States, and for other purposes relative to the public debt.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of any act or acts as authorize the receipt of evidences of the public debt in payment for the lands of the United States, shall, from and after the thirtieth day of April, one thousand eight hundred and six, be repealed: *Provided*, That the right of all persons who may have purchased public lands previous to the passage of this act, to pay for the same in stock, shall in nowise be affected or impaired: *And provided, further*, That there shall be allowed on every payment made in money, at or before the same shall fall due, for lands purchased before the thirtieth day of April, one thousand eight hundred and six, in addition to the discounts now allowed by law, a deduction equal to the difference, at the time of such payment, between the market price of six per cent. stock and the nominal value of its unredeemed amount; which market price shall, from time to time, be stated by the Secretary of the Treasury to the officers of the several land offices.

*See, as repealed by this act, the act of 3d March, 1797, chap. 44; and sec. 5, chap. 49.

So much of any acts as authorize the receipt of evidences of the public debt, in payment for lands, &c. repealed after the 30th of April, 1806.

Proviso; the right of persons who have purchased previously, &c. not to be affected, &c.

Proviso; additional allowance on every payment made in money, before falling due, for lands purchased before the 30th of April, 1806, &c.

SEC. 2. *And be it further enacted*, That the commissioners of the sinking fund shall not be authorized to purchase any of the several species of the public debt at a higher price than at the rates following, that is to say: they shall not pay

The commissioners of the sinking fund not to purchase any of the several species of the public debt at a higher price than the rates specified.

more for three per cent. stock than sixty per cent. of its nominal value, nor for any other species of the public debt more than the nominal value of its unredeemed amount, the eight per cent. stock only excepted; for which they shall be authorized, in addition thereto, to give at the rate of one half of one per cent. on the said nominal value, for each quarterly dividend which may be payable on such purchased stock, from the time of such purchase to the first day of January, one thousand eight hundred and nine.

So much of any act as directs purchases of the public debt, &c. to be made within 30 days, &c. and as directs purchases to be made openly or by sealed proposals, repealed.

The commissioners authorized to make purchases, &c. as they may deem most eligible, &c. appoint agents, &c.

SEC. 3. *And be it further enacted*, That so much of any act as directs that purchases of the public debt, by the commissioners of the sinking fund, shall be made within the thirty days next ensuing after each day on which a quarterly payment of interest on the debt of the United States shall become due, and, also, so much of any act as directs that the said purchases shall be made by open purchase or by sealed proposals, be, and the same hereby is, repealed. And the said commissioners are hereby authorized to make such purchases, under the restrictions laid by the preceding section, in such manner and at such times and places as they shall deem most eligible; and for that purpose to appoint a known agent or agents, to whom they may allow a commission not exceeding one fourth of one per cent. on the respective purchases of such agents.

Approved, April 18, 1806.

[See Part II, No. 201.]

CHAP. 84.—An act supplementary to an act entitled “An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana.”*

*See original act of 2d March, 1806, chapter 74.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person or persons claiming a tract of land by virtue of the second section of the act to which this act is a supplement, and who had commenced an actual settlement on such tract prior to the first day of October, one thousand eight hundred, and had continued actually to inhabit and cultivate the same during the term of three years from the time when such actual settlement had commenced, and prior to the twentieth day of December, eighteen hundred and three, shall be considered as having made such settlement with the permission of the proper Spanish officer, although it may not be in the power of such person or persons to produce sufficient evidence of such permission.

Persons claiming tracts of land by virtue of the 2d section of the act referred to, and who had commenced an actual settlement thereon prior to the 1st of Oct. 1800, and continued to inhabit and cultivate the same for three years, &c. to be considered as having made the settlement with the permission of the proper Spanish officer, &c.

Persons rightfully claiming a tract not exceeding 640 acres, by virtue of the act referred to, to be confirmed, although, &c. not above 21 years of age, provided, &c.

SEC. 2. *And be it further enacted*, That every person or persons rightfully claiming a tract of land, not exceeding six hundred and forty acres, by virtue of the act to which this act is a supplement, shall be confirmed in his or their claims, if otherwise embraced by the provisions of the said act, although the person or persons under whom the claim or claims

originated were not, at the time when the same originated, above the age of twenty-one years: *Provided*, That the tract of land thus claimed had been, for the space of ten consecutive years, prior to the twentieth day of December, eighteen hundred and three, in the quiet possession of, and actually inhabited and cultivated by, such person or persons, or for his or their use.

SEC. 3. *And be it further enacted*, That the time fixed by the act to which this act is a supplement, for delivering to the register of the proper land office notices in writing, and the written evidences of claims to land in the Territory of Orleans, be, and the same is hereby, extended till the first day of January next; and persons delivering such notices and evidences shall be entitled to the same benefits as if the same had been delivered prior to the first day of March last; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall be barred, and the evidences of their claims never after admitted as evidence, in the same manner as had been provided by the fourth section of the act to which this act is a supplement, in relation to claims, notices and written evidences of which should not be delivered prior to the said first day of March last.*

The time fixed for delivering to the register notices in writing, &c., of claims to land in the Territory of Orleans, extended to the 1st Jan. 1807, &c.

The rights of persons neglecting, barred, &c.

*See sect. 4, chap. 74.

SEC. 4. *And be it further enacted*, That the registers of the land offices in the Territory of Orleans, respectively, be, and they are hereby, authorized to appoint so many deputies, not exceeding one for each county in their respective districts, as they may think necessary; whose duty it shall be to receive, enter, and file notices, and to receive and record written evidences of claims to lands lying in the county or counties to them respectively assigned, in the same manner as the register might do; and, also, to transmit to the register the said notices and evidences, or such transcripts of abstracts of the same, as the said register or the commissioners may direct; and, generally, to do and perform all such acts, in relation to such claims, as the said register may direct. Persons having claims to land may deliver the notices and evidences of the same, at their option, either to the register of the proper land office, or to his deputy for the county in which such land lies; and each of the said deputies shall be entitled to receive the recording fees allowed to the register by the act to which this act is a supplement, and, in addition thereto, (or a compensation of five hundred dollars in full for all his services,) at the rate of one dollar for every claim filed with him, to be paid out of the moneys appropriated for carrying into effect the act to which this act is a supplement.†

The registers of the land offices in the Territory of Orleans to appoint deputies, &c.

Deputies to receive, enter, and file notices, &c.

Persons having claims to land may deliver the notices, &c. either to the register or his deputy, &c.

Compensation to the deputies, &c.

†See sect. 4, chap. 74, and section 3, chap. 91, post.

SEC. 5. *And be it further enacted*, That the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans shall, in their respective districts, have the same powers and perform the same duties, in relation to the claims thus filed before the first day of January next, as if notice of the same had been given before the first day of March last, and as was provided

The commissioners for ascertaining the rights of persons claiming lands in the Territory of Orleans to have, in their respective districts, the same powers, &c. as provided by the act referred to.

Transcripts of decisions and reports of claims filed, &c. to be made and transmitted, &c.

The commissioners to inquire into the nature and extent of the claims to a double or additional concession on the back of the grants, or from grants or concessions made to minors, &c.; and make a special report, to be laid before Congress, &c.

The lands embraced by the report not to be disposed of until Congress decide.

*See chapter 74.

Each register to receive, in addition to emoluments, &c. \$500 for the services to be performed under this act, &c.

Each commissioner to receive at the rate of \$6 a day.

Provido; the amt of compensation to a commissioner not to exceed \$2,000. Provido; the President may reduce the number of commissioners, &c.

The remaining commissioners to have the same powers, &c.

The clerk of each board to receive at the rate of \$1,500 per annum, translators at the rate of \$600, and agents at the rate of \$1,500 a year.

Provido; not more than one year's compensation to be thus allowed to each clerk, &c.

Provido; the Secretary of the Treasury may discontinue the agents, &c.

by the act to which this act is a supplement, in relation to the claims therein described. Transcripts of the decisions of the said commissioners, and reports of the claims filed in conformity with the provisions of this act, shall be made and transmitted, as was provided by the act to which this act is a supplement, in relation to the claims therein described. It shall likewise be the duty of the said commissioners to inquire into the nature and extent of the claims which may arise from a right, or supposed right, to a double or additional concession on the back of grants or concessions heretofore made, or from grants or concessions heretofore made to minors, and not embraced by the provisions of this act, or from grants or concessions made by the Spanish Government, subsequent to the first day of April, one thousand eight hundred, for lands which were actually settled and inhabited on the twentieth day of December, one thousand eight hundred and three; and to make a special report thereon to the Secretary of the Treasury; which report shall be by him laid before Congress at their next ensuing session. And the lands which may be embraced by such report shall not be otherwise disposed of until a decision of Congress shall have been had thereupon.*

SEC. 6. And be it further enacted, That each of the registers aforesaid shall, in addition to his other emoluments, receive a compensation of five hundred dollars for the services to be performed under this act prior to the first day of January next; and each of the commissioners aforesaid shall receive at the rate of six dollars a day for every day's actual attendance on the duties of his office subsequent to the first day of January next: *Provided*, That the whole amount of compensation thus allowed shall not, for any commissioner, exceed two thousand dollars: *And provided, also*, That the President of the United States may, if he shall think proper, reduce, after the first day of January next, the number of commissioners, on either or both boards, to one or two persons; and, in case of such reduction, the commissioner or commissioners constituting the board shall have the same powers which are vested by this act, or by the act to which this act is a supplement, in the board established by the act to which this act is a supplement. The clerk of each of the boards shall be entitled to receive at the rate of fifteen hundred dollars a year, the translators at the rate of six hundred dollars a year, and the agents employed by the Secretary of the Treasury at the rate of fifteen hundred dollars a year, from the first day of January next to the time when each board shall respectively be dissolved: *Provided*, That no more than one year's compensation be thus allowed to each of the said clerks, translators, and agents: *And provided, also*, That the Secretary of the Treasury may discontinue either one or both of said agents, whenever he shall think it proper.

SEC. 7. *And be it further enacted,* That the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana be, and they are hereby, authorized, if they shall think it necessary for the purpose of obtaining oral evidence, either in support of or in opposition to claims, which evidence could not be given at the usual place of their sittings without oppression to the parties or witnesses, to remove their sittings, or to send for that purpose one or more members of the board to such other place or places, within their respective districts, as they may think necessary: And each of the commissioners going for that purpose to such other place or places shall, in addition to his compensation, receive at the rate of six dollars for every twenty miles, going to and returning from such place or places: *Provided,* That no commissioner shall receive, in the whole, on that account, more than for the distance from the usual place of the sittings of the board to the extreme settlements within his respective district.

The commissioners for ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana, may, for the purpose of obtaining evidence, &c., remove their sittings, or send one or more members of the board, &c.

Each commissioner going to receive, in addition, at the rate of \$6 for every 20 miles, &c.

Provido; no commissioner to receive more than for the distance to the extreme settlements, &c.

SEC. 8. *And be it further enacted,* That each of the boards aforesaid shall prepare and cause to be prepared the reports and transcripts which by law they are directed to make to the Secretary of the Treasury, in conformity with such forms as he may prescribe; and they shall also, in their several proceedings and decisions, conform to such instructions as the said Secretary may, with the approbation of the President of the United States, transmit to them in relation thereto.

The boards to prepare the reports and transcripts in the form which the Secretary of the Treasury may prescribe, and conform, in their proceedings, &c. to such instructions as the Secretary may transmit to them.

SEC. 9. *And be it further enacted,* That the surveyor of the public lands south of Tennessee be, and he is hereby, directed to appoint a principal deputy for each of the two land districts of the Territory of Orleans; whose duty it shall be to reside and keep an office in the said districts, respectively; to execute, or cause to be executed by the other deputies, such surveys as have been or may be authorized by law, or as the commissioners aforesaid may direct; to file and record all such surveys; to form, as far as practicable, connected draughts of the lands granted in the district, so as to exhibit the lands remaining vacant; and, generally, to perform in such districts, respectively, in conformity with the regulations and instructions of the said surveyor of the public lands south of the State of Tennessee, the duties imposed by law on said surveyor. And each of the said principal deputies shall receive an annual compensation of five hundred dollars, and, in addition thereto, the following fees, that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of any plot of a survey in the office, twenty-five cents. (1)

The surveyor of the public lands south of Tennessee to appoint a principal deputy for each of the two land districts of the Territory of Orleans.

The principal deputies to reside in their districts, keep an office, execute surveys, &c.

Each principal deputy to receive an annual compensation of \$500, and fees in addition.

SEC. 10. *And be it further enacted,* That the President of the United States be, and he hereby is, authorized, whenever

The President authorized to appoint a receiver of public money for the western district of the Territory of Orleans, &c.

(1) See Part II, Nos. 29 and 212.

Compensation, duties, &c., of the receiver.

*See chapter 54.

The receiver and register, &c., whenever the public lands are offered for sale, entitled to the same commissions and fees as the same officers north of the Ohio, &c.

The President authorized to direct public lands in the western district of Orleans, surveyed, &c., to be offered for sale.

The lands, with the exception of No. 16, &c., to be offered to the highest bidder, under the direction of the register, receiver, and principal deputy surveyor, &c.

The sales to remain open three weeks; the lands to be sold at a price fixed by law, &c.

The superintendents of public sales to receive \$6 for each day's attendance, &c.

All lands, other than the reserved sections, &c., remaining unsold at the close of the public sales, may be disposed of at private sale, &c.

Patents to be obtained as provided by law for the lands sold in Mississippi, &c.

he shall think it proper, to appoint a receiver of public moneys for the western district of the Territory of Orleans, who shall receive the same annual compensation, give security in the same manner and in the same sums, and whose duties and authorities shall, in every respect, be the same, in relation to the lands which shall hereafter be disposed of at their offices, as are by law provided with respect to the receivers of public moneys in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.*

And the said receiver and the register of the land office for the same district shall, whenever the public lands within the same shall be offered for sale, be entitled to the same commissions and fees which are by law, respectively, allowed to the same officers north of the river Ohio, and above the mouth of Kentucky river.

SEC. 11. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, whenever he shall think it proper, to direct so much of the public lands lying in the western district of the Territory of Orleans as shall have been surveyed in conformity with the provisions of the act to which this act is a supplement, to be offered for sale. All such land shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same; with the exception, also, of an entire township, to be located by the Secretary of the Treasury, for the use of a seminary of learning; and with the exception, also, of the salt springs, and lands contiguous thereto, which, by direction of the President of the United States, may be reserved for the future disposal of the said States, shall be offered for sale to the highest bidder, under the direction of the register of the land office, of the receiver of public moneys, and of the principal deputy surveyor, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer; the lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands in the Mississippi Territory; and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the Mississippi Territory. The superintendents of the said public sales shall receive six dollars each, for each day's attendance on the said sales. All lands, other than the reserved sections, and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States in the Mississippi Territory. And patents shall be obtained for all lands granted

or sold in the Territory of Orleans, in the same manner and on the same terms as is or may be provided by law for lands sold in the Mississippi Territory.*

*See chapter 62.

SEC. 12. *And be it further enacted*, That the location or locations of land which may be made in the Territory of Orleans, by Major General Lafayette, by virtue of the ninth section of the act to which this act is a supplement, shall and may be received, though containing less than one thousand acres: *Provided*, That no such location or survey shall contain less than five hundred acres.*

The location of land in the Territory of Orleans by Major General Lafayette, &c. to be received, though containing less than 1,000 acres, provided, &c.

SEC. 13. *And be it further enacted*, That the Secretary of the Treasury be authorized to cause a survey to be made of the seacoast of the Territory of Orleans, from the mouth of the Mississippi to Vermilion bay, inclusively, and as much farther westwardly as the President of the United States shall direct; and also of the bays, inlets, and navigable waters, connected therewith: *Provided*, That the expense of such survey shall not exceed five thousand dollars.

The Secretary of the Treasury to cause a survey to be made of the seacoast of the Territory of Orleans, &c.

SEC. 14. *And be it further enacted*, That a sum not exceeding twenty thousand dollars, in addition to the sum appropriated by the act to which this act is a supplement, and to be paid out of any unappropriated moneys in the Treasury, be, and the same is hereby, appropriated for the purpose of carrying this act into effect.

Proviso; the expense not to exceed \$5,000.

Not exceeding \$20,000, in addition, &c. appropriated for carrying this act into effect.

Approved, April 21, 1806.

[See Part II, Nos. 19, 29, 629, 630, 631, 633, 634, 637, 646, 648, 650, 651, 710, 716, 721, 726, 727, 754, 755, 756, 757, 758, 760, 766, 767, 843, 844, 846, 848, 849, 852, 854, 858, 859, 860, 861, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 914, 915, 924, 928, 929, 940, 949, 953, 956.]

CHAP. 85.—An act respecting the claims to land in the Indiana Territory and State of Ohio. (1)

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the registers and receivers of public moneys of the districts of Vincennes and Kaskaskias, respectively, be, and they are hereby, authorized and empowered, under the direction of the Secretary of the Treasury, to lay out one or more tracts of land, in their respective districts, for the purpose of locating therein tracts of land granted by virtue of any legal French or British grants, or of any resolution or act of Congress: *Provided*, That the tracts thus laid out shall be, whenever practicable, adjoining the tracts which, in conformity with former laws, had been laid out for similar purposes by the Governors of the Northwest or Indiana Territories; and the tracts thus laid out shall not be otherwise disposed of, unless by order of Congress.

The registers and receivers of Vincennes and Kaskaskias empowered, &c. to lay out one or more tracts of land, in their districts, for locating therein tracts granted by virtue of legal French or British grants, &c.

Proviso; the tracts laid out to adjoin tracts laid out for similar purposes by the Governors of the Northwest or Indiana Territories, &c.

(1) See Part II, Nos. 19, 35, 627, 628, 632, 652, 653, 654, 770.

Persons entitled to grants of land by virtue of any former resolution or act of Congress, not specifically designated in the patents, &c. to have a right to locate them in the tracts to be laid out by virtue of the preceding section, &c.

Proviso: all the lands located, &c. to be laid out in a body, &c. and be surveyed in the form of a square, &c.

The registers and receivers to complete and transmit their reports before the 1st of December, 1806. The registers and receivers each allowed 500 dollars additional; and each of the clerks 250 dollars.

*See sec. 6, chap. 93.

The register and receiver in the district of Cincinnati authorized to grant certificates of a right of pre-emption to persons residing on reserved sections other than No. 16, for the tracts on which they reside, &c.

†Chap. 69.

Proviso: persons to exhibit evidence of their claims, &c. and the certificates not to be granted for any lands previously granted or sold, &c.

SEC. 2. *And be it further enacted,* That any person or persons entitled to grants of land by virtue of any former resolution or act of Congress, which are not specifically designated in the patents issued by the Governors aforesaid, or which have not yet been located, shall have a right to locate the same in the tract or tracts to be laid out in each district, respectively, by virtue of the preceding section: the priority of such location shall be determined by lot, in presence of the register of the land' office with whom the location shall be entered; and the surveyor general shall cause the same to be surveyed at the expense of the parties: *Provided,* That all the lands thus located shall, in each tract laid out for that purpose, be laid out in a body, without leaving any intervals of vacant land, and shall each be surveyed in the form of a square, or of a parallelogram, the length of which shall not exceed three times its breadth.

SEC. 3. *And be it further enacted,* That the registers and receivers aforesaid shall complete and transmit their reports to the Secretary of the Treasury before the 1st day of December next. Each of the said officers shall be allowed an additional compensation of five hundred dollars; and each of the clerks of the respective boards shall be allowed an additional compensation of two hundred and fifty dollars, in full for his services, as such, in relation to such claims.*

SEC. 4. *And be it further enacted,* That the register and receiver of public moneys in the district of Cincinnati be, and they are hereby, authorized to grant certificates of a right of pre-emption to any person residing on any reserved section (other than section number sixteen) for the tract on which he resides, on the applicant's producing satisfactory evidence that his claim was within the provisions of the seventh section of an act entitled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes:"† *Provided,* That the person shall exhibit the evidence of his claim, and shall have paid at least one twentieth part of the purchase-money, on or before the 1st day of August next: *And provided, also,* That such certificates shall not be granted for any lands previously granted or sold, or for a larger tract than a quarter of a section, nor for any other tract than that on which he resides; and such land shall be granted at the same price and on the payments being made as for other public lands sold at private sale.

Approved, April 21, 1806.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93.]

CHAP. 86.—An act to provide for the adjustment of titles of land in the town of Detroit and Territory of Michigan, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Governor and the judges of the Terri-

The Governor and judges of Michigan, &c. authorized to lay out a town

tory of Michigan shall be, and they, or any three of them, are hereby, authorized to lay out a town, including the whole of the old town of Detroit, and ten thousand acres adjacent, excepting such parts as the President of the United States shall direct to be reserved for the use of the military department, and shall hear, examine, and finally adjust, all claims to lots therein, and give deeds for the same. And to every person, or the legal representative or representatives of every person, who, not owning or professing allegiance to any foreign Power, and being above the age of seventeen years, did on the eleventh day of June, one thousand eight hundred and five, when the old town of Detroit was burnt, own or inhabit a house in the same, there shall be granted, by the Governor and the judges aforesaid, or any three of them, and, where they shall judge most proper, a lot not exceeding the quantity of five thousand square feet.

including the old town of Detroit, and 10,000 acres adjacent, &c.

To every person, &c. who, not owning or professing allegiance to a foreign Power, and above the age of 17, owned or inhabited a house in the old town of Detroit, when it was burnt, a lot to be granted, &c.

SEC. 2. *And be it further enacted*, That the land remaining of the said ten thousand acres, after satisfying claims provided for by the preceding section, shall be disposed of by the Governor and judges aforesaid, at their discretion, to the best advantage, who are hereby authorized to make deeds to purchasers thereof; and the proceeds of the lands so disposed of shall be applied, by the Governor and judges aforesaid, towards building a court-house and gaol in the town of Detroit; and the said Governor and judges are required to make a report to Congress, in writing, of their proceedings under this act.

The remainder of the 10,000 acres, after satisfying claims, &c. to be disposed of by the Governor and judges to the best advantage, &c.

The proceeds to be applied towards building a court-house and gaol, &c.

Approved, April 21, 1806.

[See Part II, Nos. 649 and 760.]

CHAP. 87.—An act in addition to an act entitled “An act to regulate the grants of land, and providing for the disposal of lands of the United States, south of the State of Tennessee.”* (1)

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any person, who shall have received a pre-emption certificate from either of the boards of commissioners appointed for the purpose of ascertaining the rights of persons to lands in the Mississippi Territory, shall, by a final judgment or decree of the highest court of law or equity in which a decision could be had, within the said Territory, rendered in favor of another person claiming by virtue of a British patent, lose the whole or part of the tract of land to which he was entitled by virtue of such certificate, it shall be lawful for the receiver of public moneys for the district where the land lies to repay to such person or his assigns so much of the purchase-money as had been paid by him for the land thus recovered by the holder of the British patent.

*See original act of 3d March, 1803, chap. 62.

When persons who have received pre-emption certificates from either of the boards for ascertaining the rights of persons to lands in the Mississippi, shall, by a final judgment, by the highest court of law, &c. rendered in favor of any other person claiming by virtue of a British patent, lose the whole or part of the tracts they were entitled to, &c. the receiver to return the purchase-money, &c.

(1) See Part II, Nos. 13, 625, 655, 656, 664, 757, 758, 768, 769, 773, 819, 824.

Where only part of a tract, &c. is claimed by the holder of a British patent, a patent may issue in favor of the owners of certificates, for so much as is not claimed; provided, &c.

The lands contained in British grants duly recorded, &c. not to be disposed of until otherwise directed, &c.

Persons entitled to a right of pre-emption to lands in the Mississippi Territory, by virtue of certificates, &c. allowed till the 1st of January, 1807, to make the first payment of the purchase-money.

*See sec. 8, chap. 33.

Each of the commissioners for ascertaining claims to lands in the Mississippi Territory, west of Pearl river, allowed at the rate of 6 dollars for every day's attendance, &c. *Provido*; the additional allowance not to exceed 500 dollars for each commissioner. The agent, &c. allowed an additional compensation of 360 dollars.

The register and receiver, in each of the districts of Mississippi, authorized to regulate the location of any tract, &c. for which a certificate may have been granted, whenever, &c.

Provido; the register and receiver not to allow any location on land not improved and settled, as provided by former acts, &c.

When it appears that the settlement and occupancy, by virtue of which a pre-emption cer-

In all cases where only a part of a tract of land, to which any person may be entitled by virtue of a certificate granted by the commissioners aforesaid, is also claimed by the holder of a British patent, a patent may issue in favor of the owners of such certificate, for so much of such tract of land as is not claimed by virtue of such British patent: *Provided*, That he shall in every other respect have complied with the provisions of the acts of Congress regulating the grants of land in the Mississippi Territory. And the lands contained in British grants, which have been duly recorded in conformity with the provisions of former laws, and for which certificates have not been granted by the commissioners aforesaid, shall not be disposed of until otherwise directed by Congress.

SEC. 2. *And be it further enacted*, That persons entitled to a right of pre-emption to lands in the Mississippi Territory, by virtue of certificates granted by either of the boards of commissioners aforesaid, shall be allowed till the first day of January, one thousand eight hundred and seven, to make the first payment of the purchase money of such lands: And if any such person shall neglect to make such first payment on or before the first day of January, one thousand eight hundred and seven, his right of pre-emption shall cease and become void.*

SEC. 3. *And be it further enacted*, That each of the commissioners appointed to ascertain the claims to lands in the above-mentioned Territory, west of Pearl river, shall be allowed at the rate of six dollars for every day he shall attend, subsequent to the first day of April, one thousand eight hundred and six: *Provided*, That such additional allowance shall not exceed five hundred dollars for each commissioner: And the agent appointed in behalf of the United States, for the said board, shall be allowed an additional compensation of three hundred and fifty dollars for the whole of his services. And the register and receiver of public moneys in each of the districts of the above-mentioned Territory shall, and they are hereby authorized, in their districts, respectively, and after the dissolution of the board of commissioners for their district, to regulate the location of any tract of land, lying within such district, for which a certificate shall have been granted by the commissioners, whenever it shall appear that the location specified in such certificates interfere with each other, or do not include the improvements by virtue of which such certificates were granted: *Provided*, That the said register and receiver shall not be authorized to allow any location on land not improved and settled, in the manner provided by the former acts of Congress regulating the grants of land in the above-mentioned Territory; nor to allow, in any case, a greater quantity of land than had been allowed by the commissioners.

SEC. 4. *And be it further enacted*, That whenever it shall appear, to the satisfaction of the register and receiver of the district east of Pearl river, that the settlement and occupancy,

by virtue of which a pre-emption certificate had been granted by the commissioners, had been made and taken place prior to the thirtieth day of March, one thousand seven hundred and ninety-eight, they shall be authorized to grant to the party a donation certificate, in lieu of such pre-emption; and the patent shall issue as in other cases of donations: *Provided*, That application shall be made for such an exchange, and evidence produced of the date of such settlement and occupancy, on or before the thirty-first day of December next.* (1)

SEC. 5. *And be it further enacted*, That the right of the United States to all the land lying between the Front street of the city of Natchez and the Mississippi river, and bounded on the north by North Fourth street and the land granted to Stephen Minor, and on the south by the lands annexed to the old fort and those granted to William Barland, be, and the same hereby is, forever vested in the corporation of said city, so as not to affect the legal or equitable claims of any individuals, or of any body politic or corporate, if any such there be: *Provided*, That the said land, as above described, be neither cultivated nor occupied by buildings, but that it be planted with trees, and preserved as a common, for the use, comfort, and health, of the inhabitants of the city aforesaid, and all other persons who may occasionally resort thither.

SEC. 6. *And be it further enacted*, That whenever the section number sixteen shall fall upon land already granted by virtue of any act of Congress, or claimed by virtue of a British grant, the Secretary of the Treasury shall locate another section, in lieu thereof, for the use of schools; which location shall be made in the same township, if there be any other vacant section therein, and, otherwise, in an adjoining township. (2)

SEC. 7. *And be it further enacted*, That Richard Sparks be permitted to enter, with the register of the land office for the district west of Pearl river, his claim to three hundred and twenty acres of land, lying within said district; and that Richard S. Bryan, and George Brewer, senior, be permitted to enter, with the register of the land office for the district east of Pearl river, their certificate of a right of pre-emption for three hundred and twenty acres of land, lying within the district last mentioned: And such entry of the claim of the said Richard Sparks shall have the same effect as if it had been made prior to the first day of December, one thousand eight hundred and four; and such entry of the certificate of the said Richard S. Bryan and George Brewer, senior, shall have the same effect as if it had been made within three months from the time it was issued.†

Approved, April 21, 1806.

tificate had been granted, &c. had taken place prior to the 30th March, 1798, the register and receiver authorized to grant a donation certificate, &c. provided, &c.

*See sec. 2, chap. 93. The right of the United States to the land described, lying at the city of Natchez, &c. vested in the corporation of that city, so as, &c.

Provido; the land to be planted with trees, and preserved as a common, &c.

When the section No. 16 falls upon land already granted, &c. the Secretary of the Treasury to locate another section for the use of schools, &c.

Richard Sparks permitted to enter, &c. his claim to 320 acres of land; and Richard S. Bryan and George Brewer allowed to enter, &c. their certificate of a right of pre-emption for 320 acres, &c.

†Private.

(1) See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 80, 93.

(2) See Part II, No. 54.

CHAP. 88.—An act to extend the time for locating Virginia military warrants, for returning surveys thereon to the office of the Secretary of the Department of War, and appropriating lands for the use of schools, in the Virginia military reservations, in lieu of those heretofore appropriated.*

*Time further extended. See act of 16th March, 1810, chap. 103.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Scioto rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further time of three years, from the twenty-third of March next, to complete their locations, and a further time of five years, from the said twenty-third of March next, to return their surveys and warrants, or certified copies of warrants, to the office of the Secretary of the War Department, any thing in the act entitled "An act to ascertain the boundary of the lands reserved by the State of Virginia, northwest of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands,"† to the contrary notwithstanding: *Provided,* That no locations, as aforesaid, within the above-mentioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this section, shall be considered as null and void.

†Chapter 68. Provision; no locations, within the tract mentioned, to be made on tracts for which patents had previously been issued, etc.

The Secretary of the Treasury authorized to obtain copies of all the locations and surveys, etc., and to cause to be made a general connected plat, etc.

One copy of the plat to be deposited in the War Department, and another to be laid before Congress, etc.

The expenses, etc. to be defrayed out of the moneys appropriated for completing the surveys, etc. northwest of the Ohio.

18 quarter townships and three sections, to be selected by the Secretary of the Treasury, by lot, in the tract described, appropriated for the use of schools, and vested in the Legislature of Ohio, etc., in lieu of the

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to obtain copies of all the locations and surveys which have been or may be made within the above-mentioned tract, and to cause to be run or surveyed as many straight lines across the same as he may deem necessary, not exceeding three, and from these, and such other documents as may be obtained, to cause to be made a general connected plat of all the lands located and surveyed within the same; a copy of which shall be deposited in the War Department, and another copy shall be laid before Congress, together with an estimate of the surplus which may remain, after satisfying the bounties above mentioned. And the expenses incurred in surveying the lines and obtaining the copies aforesaid, and in preparing the general plat above mentioned, shall be defrayed out of the moneys appropriated for completing the surveys of the public lands northwest of the river Ohio.

SEC. 3. *And be it further enacted,* That eighteen quarter townships and three sections, to be selected by the Secretary of the Treasury, by lot, in that tract of land, in the State of Ohio, lately purchased from the Indians, and lying between the tract commonly called the United States military tract, and the tract commonly called the Connecticut Reserve, be, and the same are hereby, appropriated for the

use of schools in that tract of land in the State aforesaid commonly called "the Virginia military reservation," and be vested in the Legislature of that State, in trust for the use aforesaid, and for no other use, intent, or purpose, whatever; which said eighteen quarter townships and three sections are thus appropriated and vested in lieu of the one thirty-sixth part of the tract aforesaid, called the "Virginia military reservation," which, by a former act,* had been appropriated and vested, as aforesaid, for the use of schools within the same: *Provided, however*, That no quarter townships including the section number sixteen of such township shall be selected, as aforesaid, for the purpose above mentioned: *And provided, also, and it is hereby understood and declared*, That the said eighteen quarter townships and three sections shall be appropriated and vested for the purposes aforesaid, only on condition that the Legislature of the State of Ohio shall, within one year after the passing of this act, pass a law accepting the said eighteen quarter townships and three sections, for the purposes aforesaid, in lieu of the thirty-sixth part of the tract commonly called "the Virginia military reservation," heretofore appropriated and vested by law for the use of schools within the same, and releasing to the United States all their claim, right, title, and interest, and all the right, title, and interest, of the inhabitants of the tract of land last mentioned, to the thirty-sixth part of the said tract, heretofore appropriated and vested by law for the use of schools within the same. And if the Legislature of the said State shall not pass a law, as aforesaid, within one year after the passing of this act, the said eighteen quarter townships and three sections shall not be considered and held as appropriated and vested for the purposes aforesaid, but shall be disposed of in the same manner as is or may be provided by law for the disposal of other public lands in the same tract.

Approved, March 2, 1807.

[See Part II, Nos. 2, 35, 43, 108, 113, 114, 115, 116, 121, 124, 136, 137, 236, 237.]

1-36th part of the Virginia military reservation vested by a former act.

*See chapter 61.

Proviso; no quarter township, etc. to be selected.

Proviso; the 18 quarter townships and three sections vested only on condition that the Legislature of Ohio, within one year, accepts, etc.

CHAP. 89.—An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any officer or soldier of the Virginia line on continental establishment, or his legal representatives, to whom a land warrant has issued by virtue of any resolution of the Legislature of Virginia, as a bounty for services which, by the laws of Virginia, passed prior to the cession of the Northwestern Territory to the United States, entitled such officer or soldier to bounty lands, shall, if the said warrant has been or shall be located within three years from the twenty-third of March next, and a survey thereof has been

Officers or soldiers of the Virginia line on continental establishment, etc., to whom land warrants have issued by virtue of any resolution of the Legislature of Virginia, etc., if they are located within three years from the 23d of March, 1803, and a survey returned, etc., to obtain a patent, etc.

or shall be, within five years from the said twenty-third of March next, returned to the office of the Secretary of War, obtain a patent for the same, in the same manner and on the same conditions as patents are obtained for lands located and surveyed on other warrants of the officers and soldiers of the Virginia line on continental establishment: * *Provided*, That no patent shall be obtained on such resolution warrant, unless there is produced to the Secretary of War satisfactory evidence that such warrant was granted for services which, by the laws of Virginia, passed prior to the cession of the Northwestern Territory, would have entitled such officer or soldier, his heirs or assigns, to bounty lands, and also a certificate of the register of the land office of Virginia, that no other warrant has issued from the said land office for the same services.

*See act of 16th of March, 1810, chap. 108.
 Provision; no patent to be obtained on a resolution warrant, unless evidence is produced, etc., and a certificate, etc.

No patent to issue by virtue of the preceding section, for a greater quantity of land than the rank or term of service would entitle, etc.

Whenever it appears to the Secretary of War that the survey, etc. is for a greater quantity of land than the officer or soldier is entitled to, etc., the Secretary is to certify the surplus, and the officer, etc. may withdraw and resurvey, etc.

SEC. 2. *And be it further enacted*, That no patent shall be issued, by virtue of the preceding section, for a greater quantity of land than the rank or term of service of the officer or soldier to whom, or to whose legal representatives, such resolution warrant has been granted, would have entitled him to under the aforesaid laws of Virginia; and whenever it appears to the Secretary of War that the survey or surveys, made by virtue of any resolution warrant, is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on the said survey or surveys, the amount of such surplus quantity, and the officer or soldier, his heirs or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey, and a patent shall issue upon such resurvey, as in other cases.

Approved, March 3, 1807.

[See Part II, Nos. 2, 37, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

†See supplementary act of April 26, 1806, chap. 99.

CHAP. 90.—An act regulating the grants of land in the Territory of Michigan.†

All the decisions made by the commissioners for examining claims to lands in the district of Detroit, etc. in favor of claimants, entered in the transcript of decisions, etc. confirmed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Detroit, in favor of such claimants as entered in the transcript of decisions which have been transmitted by the said commissioners to the Secretary of the Treasury, according to law, be, and the same are hereby, confirmed.

Persons in actual possession, etc. of any tract of land, in their own right, and which was settled, improved, etc. prior to and on the 1st of July,

SEC. 2. *And be it further enacted*, That, to every person or persons in the actual possession, occupancy, and improvement, of any tract or parcel of land, in his, her, or their own right, at the time of the passing of this act, within that part of the Territory of Michigan to which the Indian title has

been extinguished, and which said tract or parcel of land was settled, occupied, and improved, by him, her, or them, prior to and on the first day of July, one thousand seven hundred and ninety-six, or by some other person or persons under whom he, she, or they, hold or claim the right to the occupancy or possession thereof, and which said occupancy or possession has been continued to the time of the passing of this act, the said tract or parcel of land, thus possessed, occupied, and improved, shall be granted, and such occupant or occupants shall be confirmed in the title to the same, as an estate of inheritance in fee simple: *Provided, however,* That no other claims shall be confirmed, by virtue of this section, than such as have been entered with the register of the land office of Detroit, within the time and in the manner provided by law, and, by the commissioners aforesaid, have been inserted in their report, transmitted as aforesaid; nor shall more than one tract or parcel of land be thus granted to any one person, and the same shall not contain more than the quantity claimed, nor more than six hundred and forty acres: *And provided, also,* That the same shall not extend to any tract heretofore reserved, or which may, by the President of the United States, be set aside for public uses, in the town of Detroit and its vicinity, or on the island of Michilimackinac.

1796, etc., and the occupancy of which continued to the 3d March, 1807, to be confirmed in their titles, etc.

Provide; no other claims to be confirmed by this section, than such as have been entered with the register, etc.

Not more than one tract to any one person, etc.

Provide; the grant not to extend to any tract reserved, etc.

SEC. 3. *And be it further enacted,* That the secretary of the Territory of Michigan, together with the register and receiver of public moneys of the land office at Detroit, shall be commissioners for the purpose of ascertaining and deciding on the rights of persons claiming the benefit of this act: and the said commissioners shall, previous to entering on the duties of their appointment, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer the same: "*I, ———, do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me by an act of Congress entitled 'An act regulating the grants of land in the Territory of Michigan.'*" And it shall be the duty of the said commissioners to meet at the town of Detroit, on or before the first day of July next, and they shall not adjourn to any other place, or for any longer time than three days, until the first day of January next, or until they shall have completed the business of their appointment. And the said commissioners, or a majority of them, shall have power to hear and decide, in a summary manner, all matters respecting such claims, to compel the attendance of witnesses, to administer oaths, and examine witnesses and such other testimony as may be adduced, and to determine thereon according to justice and equity. Minutes of the proceedings, decisions, meetings, and adjournments of the board, shall be regularly entered by the register in a book to be kept for that purpose, together with the evidence on which such decisions are made, unless such evidence has already been entered

The secretary of Michigan, and the register and receiver, etc. at Detroit, to be commissioners for deciding on the rights of persons claiming, etc.

The commissioners to take an oath, etc.

Form of the oath.

The commissioners to meet at Detroit, on or before the 1st of July, 1807, and not to adjourn for more than three days, etc. until they have completed the business.

The commissioners empowered to hear and decide in a summary manner, compel witnesses, administer oaths, etc.

Minutes of proceedings, etc. to be entered by the register in a book, etc.

When it appears to the commissioners that the claimant is entitled to a tract, etc. they are to give a certificate, stating the circumstances, etc.

The tract to be surveyed, etc. at the expense of the party, etc.

The whole expense of surveying, etc. not to exceed \$3 for every mile, etc.

The surveyor general to transmit to the register at Detroit general and particular plots, etc.

The commissioners to transmit to the Secretary of the Treasury a transcript of their decisions, etc. containing a fair statement, etc.

The certificate granted by the commissioners, being duly entered, etc. to entitle the party to a certificate from the register, who is to receive a dollar for each, etc.; a patent to issue, etc.

The powers vested by this act, etc. not to extend to lots in the town of Detroit, the claims to which have been decided upon in the manner prescribed by the act mentioned.

*Ante, chapter 86.

The secretary to receive \$500 in full for services rendered under this act, etc.

according to law, in the book or books of minutes kept by the commissioners, appointed under former acts, to investigate the claims to land in the district of Detroit. And when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of this act, they shall give a certificate thereof, stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land by virtue of this act; which tract shall be surveyed, in conformity with the decision of the commissioners, at the expense of the party, and under the direction of the surveyor general, by such of his assistants, residing in the Territory of Michigan, as the said surveyor general shall appoint for that purpose: *Provided*, That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be actually run, surveyed, or marked. The surveyor general shall transmit to the register of the land office at Detroit general and particular plots of all the lands surveyed as aforesaid, and shall also forward copies of the said plots to the Secretary of the Treasury. The commissioners shall transmit to the Secretary of the Treasury a transcript of their decisions in favor of claimants, which shall contain a fair statement of the evidence on which each respective claim is founded, and shall be signed by the said commissioners, and shall state the names of the parties in whose favor the certificates have been granted, the number of acres granted, and the situation of the land. And the certificate and certificates granted as aforesaid by the commissioners, being duly entered with the register of the land office of Detroit, prior to the first day of January, one thousand eight hundred and nine, shall entitle the party or parties, as soon as the plot or plots aforesaid shall have been transmitted to the said register, to receive from him a certificate or certificates, for each of which certificates the register shall receive one dollar, directed to the Secretary of the Treasury; and if it shall appear, to the satisfaction of the said Secretary, that such certificates have been fairly obtained, according to the true intent and meaning of this act, then, and in that case, patents shall issue, in like manner as is provided by law for the other lands of the United States.

SEC. 4. *And be it further enacted*, That the powers vested by this act in the commissioners above mentioned shall not extend to lots in the town of Detroit, the claims to which shall be ascertained and decided upon in the manner provided by the act entitled "An act to provide for the adjustment of titles of land in the town of Detroit, and Territory of Michigan, and for other purposes."*

SEC. 5. *And be it further enacted*, That the secretary of the Territory of Michigan shall be entitled to receive five hundred dollars, in full for all the services rendered by him under this act, to be paid out of the sums which have been or may be appropriated for carrying into effect the several

laws enacted for the disposal of public lands, and for the adjustment of claims in the Indiana or Michigan Territories.

Approved, March 3, 1807.

[See Part II, Nos. 638, 643, 644, 649, 760.]

CHAP. 91.—An act respecting claims to land in the Territories of Orleans and Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the first section of the act entitled “An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana,”* as provides that no incomplete title shall be confirmed unless the person in whose name the warrant or order of survey had been granted was, at the time of its date, either the head of a family or above the age of twenty-one years, be, and the same is hereby, repealed.

So much of the 1st section of the act mentioned, as provides that no incomplete title shall be confirmed, unless the person, etc. was, etc. the head of a family, etc., repealed.
*Chapter 74.

SEC. 2. *And be it further enacted,* That any person or persons, and the legal representative of any person or persons, who, on the twentieth day of December, one thousand eight hundred and three, had, for ten consecutive years prior to that day, been in possession of a tract of land not claimed by any other person, and not exceeding two thousand acres, and who were, on that day, resident in the Territory of Orleans or Louisiana, and had still possession of such tract of land: *Provided,* That no claim to a lead mine or salt spring shall be confirmed merely by virtue of this section: *And provided, also,* That no more land shall be granted by virtue of this section than is actually claimed by the party, nor more than is contained within the acknowledged and ascertained boundaries of the tract claimed.

Persons who, on the 20th of Dec. 1803, had, for ten years before that day, been in possession of a tract not claimed, etc., not exceeding 2,000 acres, etc., and had still possession, to be confirmed in their titles.

Proviso; no claim to a lead mine or salt spring to be confirmed by this section.
No more land granted by this section than is actually claimed, etc.

SEC. 3. *And be it further enacted,* That the claim of the corporation of the city of New Orleans to the commons adjacent to the said city, and within six hundred yards from the fortifications of the same, be, and the same are hereby, recognised and confirmed: *Provided,* That the said corporation shall, within six months after passing this act, relinquish and release any claim they may have to such commons beyond the distance of six hundred yards aforesaid:† *Provided, also,* That the corporation shall reserve for the purpose, and convey gratuitously for the public benefit, to the company authorized by the Legislature of the Territory of Orleans, as much of the said commons as shall be necessary to continue the canal of Carondelet from the present basin to the Mississippi, and shall not dispose of, for the purpose of building thereon, any lot within sixty feet of the space reserved for a canal, which shall forever remain open as a public highway: *And provided, also,* That nothing herein con-

The claim of the corporation of New Orleans to the commons adjacent, etc. confirmed.

Proviso; the corporation, within six months, to release claim to the commons beyond 600 yards.

†See sect. 11, chap. 116, post.

Proviso; the corporation to convey, gratuitously, for public benefit, as much of the commons as may be necessary to continue the canal of Carondelet to the Mississippi, etc.

Nothing herein to impair the rights of individuals to the commons, etc.

The commissioners for ascertaining the rights of persons claiming land in the Territories of Orleans and Louisiana, empowered to decide according to the usages and customs of the French and Spanish Governments, where the claim is made by persons who were inhabitants, etc., and for not exceeding a league square, etc.

The time fixed by the act referred to, etc., for delivering notices in writing, etc., extended for the Territories of Orleans and Louisiana until the 1st July, 1808.

The rights of persons neglecting to deliver notices, etc., within the time limited, etc., become void, etc.

*See chapters 126, 130, and 140.

The commissioners for ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana, to transmit, to the Secretary of the Treasury and surveyor general, transcripts of final decisions, etc., deliver to the party a certificate, etc., which is to be filed, etc.

The register or recorder, etc., to issue a certificate in favor of the party, etc.; a patent to issue, etc.

ained shall be construed to affect or impair the rights of any individual or individuals to the said commons, which are derived from any grant of the French or Spanish Government.

SEC. 4. *And be it further enacted,* That the commissioners appointed, or to be appointed, for the purpose of ascertaining the rights of persons claiming land in the Territories of Orleans and Louisiana, shall have full powers to decide, according to the laws and established usages and customs of the French and Spanish Governments, upon all claims to lands within their respective districts, where the claim is made by any person or persons, or the legal representative of any person or persons, who were, on the twentieth of December, one thousand eight hundred and three, inhabitants of Louisiana, and for a tract not exceeding the quantity of acres contained in a league square, and which does not include either a lead mine or salt spring; which decision of the commissioners, when in favor of the claimant, shall be final against the United States, any act of Congress to the contrary notwithstanding.

SEC. 5. *And be it further enacted,* That the time fixed by the act above mentioned, and by the acts supplementary to the same, for delivering to the proper register or recorder notices in writing, and the written evidences of claims to land, be, and the same is hereby, extended, for the Territories of Orleans and Louisiana, till the first day of July, one thousand eight hundred and eight; and persons delivering such notices and evidences shall be entitled to the same benefit as if the same had been delivered within the time limited by the former acts; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of law or equity whatever.*

SEC. 6. *And be it further enacted,* That the commissioners appointed, or to be appointed, for the purpose of ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana, shall, respectively, transmit to the Secretary of the Treasury and to the surveyor general, or officer acting as surveyor general, transcripts of the final decisions made in favor of claimants by virtue of this act; and they shall deliver to the party a certificate, stating the circumstances of the case, and that he is entitled to a patent for a tract of land therein designated, which certificate shall be filed with the proper register or recorder within twelve months after date. And the register or recorder shall thereupon (a plat of the tract of land therein designated being previously filed with him, or transmitted to him, by the officer acting as surveyor general, in the manner hereinafter provided) issue a certificate in favor of the party; which certificate, being transmitted to the Secretary of the Treasury, shall entitle the party to a patent, to be

issued in like manner as is provided by law for the issuing of patents for public lands lying in other Territories of the United States.

SEC. 7. *And be it further enacted,* That the tracts of land thus granted by the commissioners shall be surveyed at the expense of the parties, under the direction of the surveyor general, or officer acting as surveyor general, in all cases where an authenticated plat of the land, as surveyed under the authority of the officer acting as surveyor general under the French, Spanish, or American Governments, respectively, during the time either of the said Governments had the actual possession of the said Territories of Orleans and Louisiana, shall not have been filed with the proper register or recorder, or shall not appear of record on the public records of the said Territories of Orleans and Louisiana. The said commissioners shall also be authorized, whenever they may think it necessary, to direct the surveyor general, or officer acting as such, to cause any tract of land, already duly surveyed, to be resurveyed at the expense of the United States. And the surveyor general, or officer acting as such, shall transmit general and particular plats of the tracts of land thus surveyed to the proper register or recorder, and shall also transmit copies of the said plats to the Secretary of the Treasury.

The tracts of land granted by the commissioners to be surveyed at the expense of the parties, under the direction of the surveyor general, in all cases where, etc.

The commissioners may direct the surveyor general, etc. to cause any tract of land to be resurveyed at the expense of the U. States.

The surveyor general, etc. to transmit general and particular plats to the proper register, etc.

SEC. 8. *And be it further enacted,* That the commissioners aforesaid shall, respectively, report to the Secretary of the Treasury their opinion on all the claims to land within their respective districts, which they shall not have finally confirmed by the fourth section of this act. The claims shall, in the said report or reports, be arranged into three general classes, that is to say: first, claims which, in the opinions of the commissioners, ought to be confirmed in conformity with the provisions of the several acts of Congress for ascertaining and adjusting the titles and claims to land within the Territories of Orleans and Louisiana; secondly, claims which, though not embraced by the provisions of the said acts, ought, nevertheless, in the opinion of the commissioners, to be confirmed in conformity with the laws, usages, and customs, of the Spanish Government; thirdly, claims which neither are embraced by the provisions of the said acts, nor ought, in the opinion of the commissioners, to be confirmed in conformity with the laws, usages, and customs, of the Spanish Government: and the said report and reports, being in other respects made in conformity with the forms prescribed according to law by the Secretary of the Treasury, shall by him be laid before Congress, for their final determination thereon, in the manner and at the time heretofore prescribed by law for that purpose.

The commissioners to report to the Secretary of the Treasury their opinion on all claims to land within their districts not finally confirmed, etc.

The claims, etc. to be arranged into three general classes, etc.

The reports, etc. to be laid before Congress for their final determination, etc.

SEC. 9. *And be it further enacted,* That the following allowances and compensations shall be made to the several officers hereinafter mentioned, that is say: To the principal deputy of the surveyor general for the district of Louisiana,

Allowances, etc. to the officers mentioned, etc.

at the rate of five hundred dollars a year from the time he entered into the duties of his office, in addition to the fees which he is entitled to receive by law. To the register of the western district of the Orleans Territory, and to the clerk of the board of commissioners for that district, one thousand dollars each for their services as commissioners and clerk, respectively, during the year one thousand eight hundred and six. To each of the deputy registers of the Territory of Orleans, five hundred dollars, in full for their services subsequent to the first day of January last, in addition to the fees to which they are legally entitled. To each of the commissioners, at the rate of two thousand dollars a year. To each of the clerks of the boards, and to each of the agents employed by the Secretary of the Treasury, at the rate of fifteen hundred dollars a year; and to each of the translators, at the rate of six hundred dollars a year, to commence from the first day of July next in the district of Louisiana, and from the first day of January next in the Territory of Orleans, and to continue to the time when each board shall be respectively dissolved: *Provided*, That no more than eighteen months' compensation be thus allowed to the said commissioners, clerks, and translators; and that the compensation of any such officer, absenting himself from his district, or failing to attend to the duties of his office, shall cease during such absence or failure.

proviso; not more than 18 months' compensation to be allowed to commissioners, clerks, and translators, etc.

Approved, March 3, 1807.

[See Part II, Nos. 19, 20, 212, 213, 678, 754, 755, 756, 757, 758, 760, 766, 767, 825, 827, 828, 836, 837, 842, 843, 844, 846, 848, 849, 852, 853, 854, 855, 858, 859, 860, 861, 862, 866, 869, 874, 877, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 893, 898, 903, 904, 913, 914, 915, 918, 921, 923, 929, 933, 940, 945, 946, 949, 952, 953, 954, 956, 958.]

CHAP. 92.—An act to prevent settlements being made on lands ceded to the United States until authorized by law.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any person or persons shall, after the passing of this act, take possession of, or make a settlement on, any lands ceded or secured to the United States, by any treaty made with a foreign nation, or by a cession from any State to the United States, which lands shall not have been previously sold, ceded, or leased, by the United States, or the claim to which lands, by such person or persons, shall not have been previously recognised and confirmed by the United States; or if any person or persons shall cause such lands to be thus occupied, taken possession of, or settled; or shall survey, or attempt to survey, or cause to be surveyed, any such lands; or designate any boundaries thereon, by marking trees or otherwise, until thereto duly authorized by law;

Persons taking possession of, or making settlements on, any lands ceded or secured to the United States, etc. not previously sold, or the claim to which has not been recognised, etc., or if any persons cause such lands to be occupied, surveyed, etc. until authorized by law, they forfeit their right, etc.

such offender or offenders shall forfeit all his or their right, title, and claim, if any he hath or they have, of whatsoever nature or kind the same shall or may be, to the lands aforesaid, which he or they shall have taken possession of, or settled, or cause to be occupied, taken possession of, or settled, or which he or they shall have surveyed, or attempt to survey, or cause to be surveyed, or the boundaries thereof he or they shall have designated, or cause to be designated, by marking trees or otherwise. And it shall moreover be lawful for the President of the United States to direct the marshal, or officer acting as marshal, in the manner hereinafter directed, and also to take such other measures and to employ such military force as he may judge necessary and proper, to remove from lands ceded or secured to the United States, by treaty or cession as aforesaid, any person or persons who shall hereafter take possession of the same, or make, or attempt to make, a settlement thereon, until thereunto authorized by law. And every right, title, or claim, forfeited under this act, shall be taken and deemed to be vested in the United States, without any other or further proceedings: *Provided*, That nothing herein contained shall be construed to affect the right, title, or claim, of any person to lands in the Territories of Orleans or Louisiana, before the boards of commissioners established by the act entitled "An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana,"* shall have made their reports, and the decision of Congress been had thereon.

SEC. 2. *And be it further enacted*, That any person or persons who, before the passing of this act, had taken possession of, occupied, or made a settlement on, any lands ceded or secured to the United States by any treaty made with a foreign nation, or by a cession from any State to the United States, which lands had not been previously sold, ceded, or leased, by the United States, or the claim to which lands had not been previously recognised and confirmed by the United States; and who, at the time of passing this act, does or do actually inhabit and reside on such lands, may, at any time prior to the first day of January next, apply to the proper register or recorder, as the case may be, of the land office established for the disposal, registering, or recording, of such lands, or to such person or persons as may, by such registers or recorders, respectively, be appointed for the purpose of receiving such applications, stating the tract or tracts of land thus occupied, settled, and inhabited, by such applicant or applicants, and requesting permission to continue thereon; and it shall thereupon be lawful for such register or recorder, respectively, to permit, in conformity with such instructions as may be given by the Secretary of the Treasury, with the approbation of the President of the United States, for that purpose, such applicant or applicants to remain on such tract or tracts of land, not exceeding three hundred and twenty acres for each applicant, as tenants at

The President may direct the marshal, and employ the military force, to remove persons unlawfully taking possession of lands, etc.

Every right, etc. forfeited, vested in the United States, etc.

Proviso; nothing herein to affect the right, etc. of any person to lands in the Territories of Orleans or Louisiana before the commissioners report and Congress decide, etc.

*Chapter 74.

Persons who, before the passing of this act, had taken possession, etc. of any lands secured to the U. States, etc., and not previously sold, etc., and who actually inhabit, etc., may, prior to the 1st of Jan. 1808, apply to the register, etc., stating the tracts, etc. and requesting permission to continue thereon; whereupon the register, etc. is to permit the applicants to remain on such tracts, not exceeding 320 acres for each, etc., on condition, etc. that they will remove on being required, etc.

will, on such terms and conditions as shall prevent any waste or damages on such lands, and on the express condition that such applicant or applicants shall, whenever such tract or tracts of land may be sold or ceded by the United States, or whenever, for any other cause, he or they may be required, under the authority of the United States, so to do, give quiet possession of such tract or tracts of land to the purchaser or purchasers, or remove altogether from the land, as the case may be : * *Provided, however,* That such permission shall not be granted to any such applicant, unless he shall previously sign a declaration, stating that he does not lay any claim to such tract or tracts of land, and that he does not occupy the same by virtue of any claim, or pretended claim, derived, or pretended to be derived, from any other person or persons : *And provided, also,* That in all cases where the tract of land applied for includes either a lead mine or salt spring, no permission to work the same shall be granted, without the approbation of the President of the United States, who is hereby authorized to cause such mines or springs to be leased for a term not exceeding three years, and on such conditions as he shall think proper. (1)

* See chap. 95, post. *Proviso*; permission not to be granted to applicants unless they sign a declaration that they do not lay claim, etc.

Proviso; where the tract includes a lead mine or salt spring, no permission to work them to be granted without the approbation of the President, etc.

Applications, etc. made by virtue of the preceding section to be duly entered on books, etc.

Fees.

The proper marshal, after the 1st of Jan. 1808, to remove persons found on lands, etc. who have not obtained permission, etc.

Proviso; 3 months' previous notice to be given to persons settled prior to passing this act.

Persons found on the lands after the three months' notice, to incur a penalty of \$100, and be liable to imprisonment, etc.

The certificate of the proper register, etc. to be sufficient evidence that the tract occupied had not been previously sold, etc.

SEC. 3. *And be it further enacted,* That all the applications made, and provisions granted, by virtue of the last preceding section, shall be duly entered on books to be kept for that purpose, by the registers and recorders aforesaid, respectively; and they shall be entitled to receive from the party, for each application fifty cents, and for each permission one dollar.

SEC. 4. *And be it further enacted,* That it shall be lawful, after the first day of January next, for the proper marshal, or officer acting as marshal, under such instructions as may, for that purpose, be given by the President of the United States, to remove from the lands aforesaid any and every person or persons who shall be found on the same, and who shall not have obtained permission to remain thereon as aforesaid : *Provided,* That three months' previous notice shall be given to all such person or persons, as aforesaid, who were settled on such lands prior to the passing of this act. And every such person who shall, at any time after the expiration of three months after such notice shall have been given, be found on any part of the lands aforesaid, shall, moreover, incur a penalty of one hundred dollars, to be recovered in any court having jurisdiction of the same; and be, moreover, liable, on conviction, to imprisonment, at the discretion of the court, not exceeding six months; and the certificate of the proper register or recorder shall be a sufficient evidence that the tract of land which was occupied by the offender had not been previously sold, leased, or ceded, by the United States, that the claim to such tract had not been recognised and confirmed by the United States, and that the person oc-

cupying the same, and removed, or to be removed, by the marshal, had not obtained permission to remain thereon, in conformity with the provisions of this act: *Provided, always, and it is further enacted*, That nothing in this section contained shall be construed to apply to any person claiming lands in the Territories of Orleans or Louisiana, whose claim shall have been filed with the proper commissioners before the first day of January next.

Approved, March 3, 1807.

[See Part II, Nos. 1, 16, 106, 119, 205, 206, 207, 208, 213, 229, 267, 362, 640, 768.]

Proviso; nothing in this section to apply to any person claiming lands in Orleans or Louisiana, whose claim has been filed before 1st Jan. 1808.

CHAP. 93.—An act confirming claims to land in the district of Vincennes, and for other purposes. (1)

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Vincennes, in favor of such claimants, as entered in the transcripts of decisions which have been transmitted by the said commissioners to the Secretary of the Treasury according to law, be, and the same are hereby, confirmed.

The decisions made by the commissioners for examining claims to lands in the district of Vincennes, in favor of claimants, as entered in the transcripts of decisions, etc. confirmed.

SEC. 2. *And be it further enacted*, That the confirmations or grants of land, made in the said district of Vincennes, by the Governors of the Northwest and Indiana Territories, prior to the establishment of the board of commissioners aforesaid, and in conformity with the act entitled "An act for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the Territory northwest of the Ohio, and for confirming them in their possessions,"* be, and the same are hereby, confirmed, unless when actually rejected by the said commissioners, although the persons entitled to the land may not have given notice of their claim, as required by the several acts making provision for the disposal of the public lands in the Indiana Territory: *Provided, however*, That no other claims shall be confirmed by virtue of this section than such as, having been entered on the territorial records, have, by the commissioners aforesaid, been inserted in their reports transmitted as aforesaid.

The confirmations, etc. of land, by the Governors of the Northwest and Indiana Territories, prior to the establishment of the board of commissioners, etc. confirmed, unless, etc. although persons entitled may not have given notice. *Chapter 34.

SEC. 3. *And be it further enacted*, That the several persons, or the legal representatives of the several persons, to whom, or to whose assigns, the several tracts of the tract of land near Vincennes, known by the name of the "Upper Prairie," have been heretofore confirmed, be, and they are hereby, respectively, confirmed in their claims to the respective tracts also claimed by them, and in their actual possession, lying in that tract of land, containing two hundred

Proviso; no other claims confirmed by virtue of this section than such as, having been entered, have been inserted in the reports, etc.

The persons to whom, etc. the several tracts, etc. near Vincennes, etc. have been confirmed, etc. confirmed in their claims to the respective tracts in their possession, etc. lying in the tract of 244 acres, known by the name of "Continuation," etc.

(1) See Part II, Nos. 204, 205, 639, 647, 652, 653, 654, 760.

and forty-four acres, which is known by the name of "Continuation," and is situated between the boundaries of the tracts already confirmed and the river Wabash.

Persons whose claims are confirmed by this act, and not actually located, etc., authorized to enter their locations with the register at Vincennes, on any part of the tracts set aside by the act mentioned, etc.

*Ante, chapter 85.

Provido; the location to be made prior to the 1st of July, 1808, etc.

Persons whose claims to tracts are confirmed by this act, and who had not obtained a patent, etc., to receive from the register a certificate, etc., which is to entitle the party to a patent, etc.

The register and receiver in the district of Kaskaskias allowed till the 1st Dec. 1807, to complete the investigation of claims.

\$500 additional to the register and receiver of Kaskaskias, etc.

†See chapter 100, post.

The public sales of land in the district of Vincennes may be continued six weeks, etc.

†See sect. 5, chap. 69.

Persons entitled to right of pre-emption to lands in the Mississippi Territory, allowed till the 1st Jan. 1808, to make the first payment, etc.

SEC. 4. *And be it further enacted*, That the several persons whose claims are confirmed by this act, and had not been actually located prior to the establishment of the board of commissioners, be, and they are hereby, authorized to enter their locations with the register of the land office of Vincennes, on any part of the tracts set aside for that purpose by virtue of the act entitled "An act respecting the claims to lands in the Indiana Territory and State of Ohio,"* and in conformity with the provisions of that act: *Provided*, That such location shall be made prior to the first day of July, one thousand eight hundred and eight; and the right of any person who shall neglect to locate prior to that day shall become void, and forever be barred.

SEC. 5. *And be it further enacted*, That every person, or the legal representative of every person, whose claim to a tract of land is confirmed by this act, and who had not previously obtained a patent for the same, from the Governor either of the Territory northwest of the Ohio or of the Indiana Territory, shall, whenever his claim shall have been located and surveyed, be entitled to receive, from the register of the land office at Vincennes, a certificate, stating that the claimant is entitled to receive a patent for such tract of land by virtue of this act; for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by law for the other lands of the United States.

SEC. 6. *And be it further enacted*, That the register and receiver of public moneys in the district of Kaskaskias be allowed till the first day of December next to complete the investigation of claims to land in the said district. And each of the said officers, and the clerk of the board, shall be allowed an additional compensation of five hundred dollars, in full for his service in relation to such claims.†

SEC. 7. *And be it further enacted*, That the public sales of the public lands in the district of Vincennes may be continued six weeks, if the term of three weeks, now prescribed by law, shall not be found sufficient to offer all the lands within the said district for sale.‡

SEC. 8. *And be it further enacted*, That persons entitled to a right of pre-emption to lands in the Mississippi Territory shall be allowed till the first day of January next to make the first payment of the purchase-money of such lands.

Approved, March 3, 1807.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88.]

CHAP. 94.—An act making provision for the disposal of the public lands situated between the United States military tract and the Connecticut Reserve, and for other purposes.*

*See chapter 246.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the disposal of the lands of the United

States situated between the United States military tract and the Connecticut Reserve, a land office shall be established, which shall be kept at such place as the President of the United States may direct; and that, for the disposal of the lands of the United States lying on the Ohio river, between the Cincinnati and Vincennes districts, a land office shall be established at Jeffersonville; and for each of the said offices a register and receiver of public moneys shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.†

A land office to be established for the disposal of the lands between the military tract and the Connecticut Reserve, etc.

A land office to be established at Jeffersonville, etc.

A register and receiver to be appointed for each office, etc.

SEC. 2. *And be it further enacted,* That all the lands of the United States, in the said districts, shall, with the exception of the section number sixteen, and with the exception also of thirteen sections, including the lower town of the Delaware tribe of Indians, and their improvements, which said thirteen sections shall be designated by the Secretary of the Treasury, and shall be reserved for the use of the said tribe and their descendants, so long as they continue to reside thereon and cultivate the same,‡ be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public moneys, at the places, respectively, where the land offices are kept, and on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the sales shall remain open at each place for six weeks, and no longer; the lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been or may be by law provided for lands sold north of the river Ohio, and above the mouth of the Kentucky river.§ All the lands of the United States, in the said districts, with the exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States north of the river Ohio, and above the mouth of the Kentucky river.¶ And patents shall be obtained for all lands sold in said districts, in the same manner and on the same terms as are pro-

†See chap. 54, and references thereto.

All the lands of the United States in the districts referred to, except No. 16, and 13 sections for the Delaware Indians, etc., to be offered for sale to the highest bidder, under the direction of the register and receiver, etc.

‡See act of 29th Feb. 1808, chapter 96.

The sales to remain open for six weeks, and the lands not to be sold for less than \$2 an acre, etc.

§See chap. 54, and references thereto.

Lands remaining unsold at the close of the public sales, may be disposed of at private sale by the register, etc.

¶See chap. 54, and references thereto.

Patents to be obtained in the manner provided by law, etc.

vided by law for other public lands sold in the State of Ohio and the Indiana Territory.

Superintendents of public sales to receive \$6 a day, etc.

SEC. 3. *And be it further enacted,* That the several superintendents of public sales directed by this act shall receive six dollars a day for each day's attendance on the said sales.

The President, in the recess, etc. empowered to appoint the registers and receivers, etc.

SEC. 4. *And be it further enacted,* That the President of the United States, in the recess of Congress, shall have full power to appoint and commission the registers and receivers of public moneys of the land offices established by this act, and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

The lead mines in Indiana, with as many contiguous sections as the President may deem necessary, to be reserved for future disposal, etc.

SEC. 5. *And be it further enacted,* That the several lead mines in the Indiana Territory, together with as many sections contiguous to each as shall be deemed necessary by the President of the United States, shall be reserved for the future disposal of the United States; and any grant which may hereafter be made for a tract of land containing a lead mine, which had been discovered previous to the purchase of such tract from the United States, shall be considered fraudulent and null. And the President of the United States shall be, and is hereby, authorized to lease any lead mine, which has been or may hereafter be discovered in the Indiana Territory, for a term not exceeding five years.

Grants for tracts containing lead mines, which had been discovered previous to the purchase, etc., to be considered fraudulent and null, etc. The President authorized to lease any lead mine discovered in the Indiana Territory, etc.

*Private.

SEC. 6.*

Approved, March 3, 1807.

[See Part II, Nos. 13, 47, 64, 82, 215, 760, 764, 765.]

CHAP. 95.—An act supplemental to an act entitled “An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee.”†

†See original act of March 3, 1803, chapter 62.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person, and the legal representatives of every person, who, being either the head of a family or above the age of twenty-one years, and who did, on the third day of March, one thousand eight hundred and seven, actually inhabit and cultivate a tract of land not claimed by virtue of a certificate granted by the boards of commissioners east and west of Pearl river, in the Mississippi Territory, and who has obtained permission to remain on such tract or tracts of land, agreeably to an act entitled “An act to prevent settlements being made on lands ceded to the United States, until authorized by law,”‡ shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, at the price at which the other lands of the United States in the said Territory are directed to be sold; and payment may be made therefor in the same manner and under the same conditions as directed by law for such other

Persons, etc. who, being head of a family, or above 21 years, and who, on the 3d of March, 1807, actually inhabited and cultivated tracts of land not claimed by virtue of a certificate, etc. in the Mississippi Territory, and have obtained permission to remain thereon, etc., to be entitled to a preference in becoming purchasers, etc.

‡Chapter 92.

lands: *Provided*, That such tract of land shall not exceed one section: *And provided, also*, That the same shall be surveyed agreeably to the sectional lines already established, or which may hereafter be established, by the surveyor of the lands of the United States south of the State of Tennessee.

Proviso; tracts not to exceed a section each.

Proviso; the tracts to be surveyed agreeably to the sectional lines established, etc.

SEC. 2. *And be it further enacted*, That every person claiming a tract of land by virtue of this act shall, before the first day of October next, deliver to the register of the land office within whose district the land may be, a notice of his claim, in writing, together with a plat of the tract of land claimed; and if any person shall fail to deliver such notice and plat, the person or persons so failing shall forfeit all claim, or pre-tension of claim, to such tract of land, and the same shall be sold with the other lands of the United States in said Territory.

Persons claiming tracts by virtue of this act, to deliver to the register, etc. before the 1st Oct. 1808, notice in writing, etc.

Persons failing to deliver notice, etc., forfeit all claim, etc.

SEC. 3. *And be it further enacted*, That persons entitled to a right of pre-emption under the first section of this act shall be allowed until the first day of January, one thousand eight hundred and nine, to make the first payment of the purchase-money of such tract or tracts of land as may be claimed by virtue of said section; and the residue of the said purchase-money shall be paid in the same manner and under the same conditions as directed for the other lands in said Territory.*

Persons entitled to a right of pre-emption under the 1st section of this act, allowed until the 1st of Jan. 1809, to make the first payment of the purchase-money, etc.

SEC. 4. *And be it further enacted*, That this act shall not extend to any person or persons claiming other lands in said Territory, in his or their own right, by virtue of British or Spanish grants, or to any person or persons to whom a donation has been granted by either of the said boards of commissioners.

*See chapter 118.

This act not to extend to persons claiming other lands in the Territory, etc.

Approved, January 19, 1808.

[See Part II, Nos. 1, 15, 16, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 260, 645, 646, 670, 673, 768, 769, 773, 819, 824.]

CHAP. 96.—An act making further provision for the disposal of the sections of land heretofore reserved for the future disposition of Congress.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the sections of land heretofore reserved for the future disposition of Congress, not sold or otherwise disposed of, and lying within either of the districts established for the disposition of public lands in the State of Ohio, with the exception of the section numbered sixteen, of the salt springs, and lands reserved for the use of the same, shall be offered for sale in that district within which such reserved sections may respectively lie, on the same terms and under the same regulations as other lands in the same district: *Provided*, That such sections shall previously be offered to the highest bidder, at public sales, to be held under the su-

†See act of the 3d March, 1807, ante, chapter 94.

All the sections of land heretofore reserved, etc., not sold, etc., lying within either of the districts, etc., in Ohio, except No. 16, etc., to be offered for sale, etc.

Proviso; the sections previously to be offered to the highest bidder at public sale, etc.

perintendence of the registers and receivers of public moneys of the land offices, respectively, to which they are attached, on the same terms as have been provided by law for the public sales of the other lands of the United States, and on such day or days as shall, by a proclamation of the President of the United States, be designated for that purpose: *And provided, also*, That no such heretofore reserved section shall be sold, either at public or private sale, at a less price than four dollars per acre.

Approved, February 29, 1808.

[See Part II, No. 13.]

Proviso; no heretofore reserved section to be sold for less than \$4 per acre.

CHAP. 97.—An act extending the time for issuing and locating military land warrants.*

*See act of 19th Dec. 1809, chapter 106, post.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and ten, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located in the names of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and ten, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants.

Approved, March 21, 1808.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

The Secretary of War authorized to issue military land warrants to persons who have, before the 1st March, 1810, produced satisfactory evidence of their claims. The warrants, etc. may be located in the names of the holders, etc., prior to the 1st Oct. 1810, etc.

CHAP. 98.—An act concerning the sale of the lands of the United States, and for other purposes.†(1)

†See, in relation to the 4th sect. of this act, chap. 142.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever the President of the United States has been or may be authorized to cause the public lands, in any land district, to be offered for sale, it shall be lawful, whenever he shall think it convenient, to offer for sale, at first, only a part of the lands contained in such district, and, at any subsequent time or times, to offer for sale, in the same manner, any other part, or the remainder, of the lands contained in the same.

Whenever the President is authorized to cause the public lands, in any district, to be offered for sale, he may direct that only a part be at first offered, etc.

The 4th sect. of the act referred to received and continued until the 1st of Oct. 1808, etc.

SEC. 2. *And be it further enacted*, That the fourth section of an act, passed the twenty-first day of April, one thousand eight hundred and six, entitled "An act in addition to an

(1) See Part II, Nos. 13, 93, 106, 187, 212, 233, 235, 646, 658.

act entitled 'An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee,'** be revived and continued in force until the first day of October next : and in any case where a donation shall be granted in lieu of a pre-emption certificate, agreeable to the provisions of the said fourth section, the money, if any shall have been paid, shall be, by the receiver of the public money, repaid to the person or persons who have paid the same.

*Ante, chap. 87.
Where a donation is granted in lieu of a pre-emption, etc. agreeably to the 4th section of the act referred to, the money, etc. to be repaid, etc.

SEC. 3. *And be it further enacted*, That certain settlers on the river Mobile, in the Mississippi Territory, (east of Pearl river, who reside near the line of demarcation between the United States and Spain, run in pursuance of the treaty of the twenty-seventh day of October, one thousand seven hundred and ninety-five, and whose claims to land has not been decided on according to law,) shall be allowed until the first day of October next to file a notice, in writing, with the register of the land office, stating the nature and extent of their claims, together with a plat of the tract or tracts claimed ; and the said register of the land office, and the receiver of public moneys, are hereby required to hear and determine such claims, according to the several acts of Congress "regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee,"† and to grant certificates in the form heretofore prescribed by the board of commissioners in said district.

Certain settlers on the river Mobile allowed until the 1st of Oct. 1808, to file notice of their claims, etc.

The register and receiver required to hear and determine the claims, etc. according to the acts of Congress referred to, etc.

†Chapter 62.

SEC. 4. *And be it further enacted*, That it shall be the duty of the registers of the land office east and west of Pearl river, in the Mississippi Territory, to transmit to the Secretary of the Treasury of the United States, on or before the first day of November next, a full and fair report of all the claims of certain persons to lands in the Mississippi Territory, founded upon British or Spanish warrants or orders of survey, granted prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, not confirmed by former laws regulating the grants of lands in said Territory, which have heretofore been regularly filed with the register of the land office aforesaid, together with the evidence in support of such claims, respectively, and to be by him laid before Congress at their next ensuing session. And the land contained in such warrants or orders of survey shall not be disposed of until otherwise directed by law.

The registers of the land offices east and west of Pearl river to transmit to the Secretary of the Treasury, on or before the 1st of Nov. 1808, a full and fair report of claims to lands in the Mississippi Territory, founded upon British or Spanish warrants, etc. granted prior to the 27th Oct. 1796, not confirmed by former laws, etc., together with the evidence, etc. to be laid before Congress, etc.

SEC. 5. *And be it further enacted*, That that part of the lands to which the Indian title was extinguished by the treaty with the Choctaw nation made on Mount Dexter, in the year one thousand eight hundred and five, lying on the east of Pearl river, shall be attached to the land district east of Pearl river ; and that the residue of the lands to which the Indian title was extinguished by said treaty shall be attached to the land district west of Pearl river ; and the said lands shall, with the exception of section number sixteen,

That part of the lands to which the Indian title was extinguished by treaty with the Choctaws, etc. to be attached to the land district east of Pearl river.

The residue, etc. to be attached to the land district west of Pearl river.

The lands, with the exception of No. 16, etc., and of 1,500 acres confirmed to John McGrew, etc., to be offered for sale, etc.

which shall be reserved in each township for the use of schools within the same, and also with the exception of fifteen hundred acres of land, which is hereby confirmed to John McGrew, in compliance with the fourth article of said treaty, be offered for sale under the same regulations, at the same prices, and on the same terms, as other lands lying within the said district.

Every person, etc. being the head of a family, or above 21 years, and who, before the 3d of March, 1807, actually inhabited, etc. a tract of land in the Mississippi Territory, etc. allowed until the 1st of Oct. 1808, to obtain permission to remain, according to the provisions of the act mentioned, etc.

*Chapter 92.

SEC. 6. *And be it further enacted*, That every person, and the legal representatives of every person, who, being either the head of a family or above the age of twenty-one years, who did, before the third day of March, one thousand eight hundred and seven, actually inhabit and cultivate a tract of land in the Mississippi Territory, belonging to the United States, shall be allowed until the first day of October next to obtain permission to remain on such tract or tracts of land, according to the provisions of the act entitled "An act to prevent settlements being made on lands ceded to the United States until authorized by law;"* and the person or persons obtaining such permission shall be entitled to all the benefits, rights, and privileges, granted by law to those who obtained the same prior to the first day of January, one thousand eight hundred and eight.

The right of the United States to two town lots in Natchez, forever vested in the corporation of that city, etc.

SEC. 7. *And be it further enacted*, That the right of the United States to two town lots, lying and being in the city of Natchez, be, and the same is hereby, forever vested in the corporation of the said city, so as not to affect the legal or equitable claims of any individuals, or of any body politic or corporate, if any such there be.

When the claims of persons having a right of pre-emption, in either of the districts east or west of Pearl river interfere, etc., the register and receiver are to regulate the locations, etc.

SEC. 8. *And be it further enacted*, That whenever the claims of persons having a right of pre-emption, in either of the districts east or west of Pearl river, shall interfere with each other, the register and receiver of public moneys are hereby authorized, in their respective districts, so to regulate their locations as to prevent such interference.

Approved, March 31, 1808.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88.]

†See original act of 3d March, 1807; ante, chap. 90.

CHAP. 99.—An act supplemental to "An act regulating the grants of land in the Territory of Michigan."†

Persons claiming lands within the Territory of Michigan, etc. by virtue of legal grants made by the French Government prior to the treaty of Paris of the 10th of February, 1763, or of any legal grant made by the British Government subsequent to that

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person claiming lands within that part of the Michigan Territory to which the Indian title hath been extinguished, by virtue of any legal grant made by the French Government prior to the treaty of Paris of the tenth of February, one thousand seven hundred and sixty-three; or of any legal grant made by the British Government subsequent to the said treaty, and prior to the treaty of peace between the United States and Great Britain of the third of

September, one thousand seven hundred and eighty-three, or of the second section of the act to which this act is a supplement, shall be allowed until the first day of January next to deliver to the register of the land office for the district of Detroit a notice, in writing, stating the nature and extent of his claims, together with a plat or plats of the tract or tracts claimed; and if such person shall fail to deliver such notice, in writing, together with a plat of the tract claimed, all his right, so far as it may be derived from any act of Congress, shall become void: and the commissioners appointed for the purpose of ascertaining and deciding the rights of persons claiming lands in the said district of Detroit shall have the same powers, and perform the duties, in relation to the claims notices of which shall be thus filed, as are provided by the act to which this act is a supplement, in relation to the claims therein described.

SEC. 2. *And be it further enacted,* That every person whose claim has been or shall be confirmed, by the commissioners aforesaid, to a tract of land bordering on the river Detroit, and not exceeding, in depth, forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price and on the same terms and conditions as are provided by law for the other public lands in the said district. And the surveyor general shall be, and he is hereby, authorized, as soon as may be, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the said river, and of adjacent prior or pre-emption claims, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land, applicable to that object, between the several claimants, in such manner as to him will appear most equitable.* And every person entitled to the benefit of this section shall, on or before the first day of January next, deliver to the register of the land office for the district of Detroit a notice, in writing, stating the situation and extent of the tract of land he wishes to purchase, and deposite, at the same time, one twentieth part of the purchase-money; and shall also, within three months after the return of the survey to the office of the said register, produce to him a receipt, from the receiver of public money for the said district, for one fourth part of the purchase-money. And if any such person shall fail to deliver such notice, and make such deposite and payment, at the times above mentioned, his right of pre-emption shall cease and become void.

SEC. 3. *And be it further enacted,* That every person who, being the head of a family, did, prior to the twenty-sixth of March, one thousand eight hundred and four, and doth, at the time of the passage of this act, inhabit and cultivate a

treaty, and prior to the treaty of peace of 3d September, 1783, or of the 2d sec. of the act referred to, allowed until the 1st January, 1809, to deliver to the register notices in writing, etc.

Persons whose claims have been confirmed by the commissioners, etc. to a tract of land bordering on the Detroit, not exceeding 40 arpens in depth, to be entitled to a preference in becoming purchasers of any vacant tract adjacent, not exceeding 40 arpens in depth, etc.

The surveyor general authorized to cause the tracts claimed by virtue of this section to be surveyed, etc.

*See chapter 132, post. Persons entitled to the benefit of this section to deliver to the register, etc. on or before the 1st of January, 1809, a notice, in writing, etc., produce a receipt, etc.

The right of persons failing, etc. to become void.

Every person, being the head of a family, who, prior to the 26th March, 1804, did, and, at the time of passing

this act, doth inhabit and cultivate a tract not claimed by virtue of a legal French or British grant, etc. entitled to a preference in becoming a purchaser, etc.

Persons entitled to the benefit of this section to deliver, on or before the 1st of January, 1809, a notice, in writing, etc.

The commissioners, etc. authorized to examine and decide the claims under this section, etc., give certificates, etc.

The right of persons failing, etc. to cease.

*See ante, sec. 2, chap. 90.

So much of the 2d section of the act referred to as provides that no more than one tract shall be granted to one person, repealed. †Chap. 90, ante.

The lands to which the Indian title has been extinguished by the treaty of Detroit, attached to the district of Detroit, and to be offered for sale there, etc.

tract of land in the Territory of Michigan, not claimed by virtue of a legal French or British grant, or by the second section of the act to which this act is a supplement, shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, not exceeding one section, at the price at which the other public lands in the said Territory are directed to be sold; and payment may be made therefor in the same manner and under the same conditions as are provided by law for such other public lands.

And every person entitled to the benefit of this section shall, on or before the first day of January next, deliver to the register of the land office for the district aforesaid a notice, in writing, of the situation and extent of the tract of land he wishes to purchase. The commissioners aforesaid are hereby authorized to examine and decide the claims of every person claiming the benefit of this section, and whenever it shall appear to them that the claimant is entitled to a right of pre-emption, they shall give a certificate thereof, directed to the register of the land office; which certificate, together with a receipt, from the receiver of public money, of at least one fourth part of the purchase-money, shall, on or before the first day of January next, be produced, by the claimant, to the register of the land office for the said district. And if any person shall fail to deliver such notice, in writing, or produce such certificate and receipt, within the times above mentioned, his right of pre-emption shall cease and become void.*

SEC. 4. *And be it further enacted*, That so much of the second section of the act† to which this act is a supplement as provides that not more than one tract or parcel of land shall be granted to any one person shall be, and the same is hereby, repealed.

SEC. 5. *And be it further enacted*, That the lands to which the Indian title has been extinguished, by the treaty made at Detroit on the seventeenth of November, one thousand eight hundred and seven, shall be attached to and made a part of the district of Detroit, and be offered for sale at that place, under the same exceptions and regulations, at the same price, and on the same terms, as other lands lying in that district.

Approved, April 25, 1808.

[See Part II, Nos. 16, 19, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 644, 679, 760.]

CHAP. 100.—An act to revive and continue for a further time the authority of the commissioners of Kaskaskia.‡

†See ante, sec. 6, chaps. 85 and 93.

The powers vested in the register and receiver of public moneys for the district of Kaskaskia, revived.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the powers heretofore vested in the register and receiver of public moneys, for the district of Kaskaskia,

be, and the same are hereby, revived; and the said register and receiver shall be allowed until the first day of January next to complete the investigation of claims to land in said district; they shall have full power to revise any of their former decisions, and also the same power and authority in relation to claims to land in the village of Pioria, notices of which have heretofore been filed, as they have in relation to other claims in the said district; and the said register and receiver, and the clerk of the board, shall each be allowed an additional compensation of five hundred dollars, in full for his services in relation to such claims.

Approved, February 15, 1809.

[See Part II, Nos. 652, 653, 654.]

The register and receiver allowed until the 1st of January, 1810, to complete the investigation of claims, with power to revise former decisions, etc.

500 dollars additional allowed to the register, to the receiver, and the clerk of the board, etc.

CHAP. 101.—An act for the disposal of certain tracts of land in the Mississippi Territory, claimed under Spanish grants, reported by the land commissioners as antedated, and to confirm the claims of Abraham Ellis and Daniel Harregal.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several tracts of land in the Mississippi Territory, the titles to which have been derived under Spanish claims, and which have been disallowed by the boards of commissioners east and west of Pearl river, on suspicion of the grants, warrants, or orders of survey, on which the claims are grounded, being antedated, or otherwise fraudulent, and which are embraced in the report of the said boards of commissioners laid before Congress, agreeable to the third section of an act entitled “An act supplementary to the act entitled ‘An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee,’”* shall be, and the same are hereby, directed to be sold, in the same manner, at the same price, and on the same terms and conditions, as have been or may be by law provided for the sale of the other public lands in the said Territory; and any person or persons claiming under a Spanish grant, warrant, or order of survey, as aforesaid, shall be entitled to institute, in the highest court of law or equity in the said Territory, his or their suit or action for the recovery of the tract or tracts so claimed as aforesaid: *Provided,* Such claimant or claimants shall institute his or their suit or action within the term of one year from and after the tract or tracts so claimed shall have been sold by the United States; or, in case the same is now inhabited and cultivated in virtue of a pre-emption right, within one year from and after the passing of this act; and if any person or persons claiming lands as aforesaid shall fail or neglect to commence or institute his or their suit or action, in the manner and within the time prescribed by this section, or shall be non-

The several tracts of land in the Mississippi Territory, the titles to which have been derived under Spanish claims, and disallowed by the boards of commissioners, &c., on suspicion of the grants, &c., being antedated, to be sold, &c.

*Chapter 71.

Persons claiming, &c., entitled to institute suit for the recovery of the tracts, &c.

proviso; claimants to institute suit within one year, &c.

Persons failing to commence suit are forever barred.

suit, or discontinue the same, his or their right to commence such suit or action, in any court whatsoever, shall be forever barred and foreclosed.

If persons claiming make it appear that the tract was surveyed prior to the 27th of October, 1795, the grant to be held valid, &c.

SEC. 2. *And be it further enacted*, That if the person or persons claiming under such grant, warrant, or order of survey, shall make it appear, to the satisfaction of the court before whom such suit or action shall be pending, that the tract of land therein specified was actually surveyed prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, then, and in that case, the same shall be deemed and held to be good and valid, to all intents and purposes, any thing in this act to the contrary notwithstanding: But in case the claimant or claimants shall fail to prove the tract or tracts of land so claimed to have been actually surveyed prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, or in case the same shall appear to be otherwise fraudulent or illegal, the grant, warrant, or order of survey, granted by the Spanish Government as aforesaid, by virtue of which such tract or tracts of land may be claimed, shall be, and the same is hereby, declared null and void, to all intents and purposes, and shall not be read in evidence against any claim or certificate of pre-emption derived from the United States.

In case the claimant fails to prove that the tract was surveyed prior to the 27th of October, 1795, the grant, &c. is null, &c.

In the trial, either party may introduce parole evidence, &c.

SEC. 3. *And be it further enacted*, That it shall be lawful, in the trial of such suit or action, for either party to introduce parole evidence, for the purpose of supporting or invalidating the grant, warrant, or order of survey, as aforesaid; and the judgment, sentence, or decree, of the said highest court of law or equity, in the cases aforesaid, shall be final and conclusive between the parties, and may be plead in bar to any subsequent suit or action brought in the same or any other court, for the recovery of the same land, or any part thereof.

The judgment, &c. to be final, and may be plead in bar, &c.

*Private.

SECS. 4 and 5.*

Approved, February 28, 1809.

[See Part II, Nos. 13, 19, 850, 651.]

CHAP. 102.—An act for the relief of certain Alabama and Wyandot Indians.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be surveyed and designated, by proper metes and bounds, a tract of land, not exceeding two thousand five hundred acres, out of any lands of the United States lying in the Territory of Orleans, and west of the river Mississippi, and, by lease, vest the said tract of land in a certain tribe of Alabama Indians and their descendants, for the term of fifty years: *Provided, nevertheless*,

The President authorized to cause to be surveyed, &c. a tract of land, not exceeding 2,500 acres, in the Territory of Orleans, and vest the same, by lease, in a tribe of Alabama Indians, &c. for fifty years. *Provided*; the Indians not to transfer their interest, &c.

That it shall not be lawful for the said tribe of Indians to transfer or assign their interest in the said land, and every such transfer or assignment shall be null and void: *And provided, also*, That if the said tribe of Indians shall remove from the said tract of land, their interest in and to the same shall thenceforth cease and determine.

Provide; if the Indians remove, their interest ceases.

SEC. 2. *And be it further enacted*, That there shall be designated, under the direction of the Secretary of the Treasury, two tracts of land in the Michigan Territory, one including the village called Brownstown, and the other the village called Maguaga, in the possession of the Wyandot tribe of Indians, containing, in the whole, not more than five thousand acres; which two tracts of land shall be reserved for the use of the said Wyandots and their descendants, and be secured to them in the same manner, and on the same terms and conditions, as is provided, in relation to the Alabama Indians, by the first section of this act.

Two tracts of land to be designated in the Michigan Territory, including the villages of Brownstown and Maguaga, &c., not exceeding 5,000 acres, to be reserved for the use of the Wyandots, &c.

Approved, February 28, 1809.

[See Part II, Nos. 47, 771, 772.]

CHAP. 103.—An act to extend the time for making payment for the public lands of the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who hath heretofore purchased any of the public lands of the United States, at any of the land offices established for the disposal of the said lands, whether such purchase was made at public or private sale, (sales by virtue of a pre-emption right only excepted,) and whose lands have not already been actually sold, or reverted to the United States for non-payment of part of the purchase-money, and the time for making the last payment on account of such purchase, according to former laws, may have expired, or shall expire on or before the first day of January next, shall be allowed a further term of two years for the payment of the residue of the principal due on account of such purchase; which further term of two years shall be calculated to commence from the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, and shall be allowed only on the following conditions, that is to say: First. That all the arrears of interest on the land purchased, to the end of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, shall have been paid at or before the end of such year. Second. That the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in two equal annual payments, viz: one half of the

Persons who have purchased public lands, except sales by virtue of pre-emption, &c., and whose lands have not been sold, or reverted for non-payment, &c., allowed a further term of two years for the payment of the residue of the principal of the purchase-money, &c.

The two years to be calculated from the expiration of one year after the last payment was due.

Conditions, &c.

Arrears of interest, &c. must have been paid.

The residue of the principal, with interest, to be paid in two equal annual payments, &c.

said residue, with the interest which may then be due thereon, within one year; and the other half of the said residue, with the interest which may then be due thereon, within two years after the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due. And in case of failure in paying either the arrears of interest on each of the two instalments of principal, with the accruing interest, at the time and times above mentioned, the tract of land shall be forthwith advertised and offered for sale in the manner and on the terms and conditions now prescribed for the sale of lands purchased from the United States, and not paid for within the limited time, and shall revert, in like manner, to the United States, if the sum due, with interest, be not at such sale bidden and paid.*

Approved, March 2, 1809.

[See Part II, Nos. 214, 216.]

CHAP. 104.—An act supplementary to an act entitled “An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians, and to establish a land office in the Mississippi Territory.”

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the lands ceded to the United States by the Cherokee and Chickasaw Indians as lies within the Mississippi Territory, and for which a land office was directed to be established by the second section of the act to which this act is a supplement, shall, with the exception of section number sixteen in each township, which shall be reserved for the use of schools within the same, and with the exception of the salt springs and lands contiguous thereto, which, by direction of the President of the United States, may be reserved for the future disposal of the said United States, be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public moneys at the place where the land office is established, and on the day or days which shall have been designated by proclamation of the President of the United States for that purpose; the sales shall remain open for six weeks, and no longer; the lands shall not be sold for less than two dollars an acre, and shall be sold in tracts of the same size, and, in all respects, on the same terms and conditions, as have been or may be by law provided for the sale of the other public lands in the Mississippi Territory.† All the lands of the United States in the said district, with the exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale by the register of the land office, in the same manner, under

In case of failure in paying, &c., the tract to be offered for sale, and to revert, &c.

*See act of 30th of April, 1810, chap. 110.

So much of the lands ceded by the Cherokee and Chickasaw Indians, as lies within the Mississippi Territory, for which a land office was directed to be established by the 2d section of the act referred to, with the exception of No. 16, &c., to be offered for sale to the highest bidder, &c.

The sales to remain open six weeks; and the lands not to be sold for less than \$2 an acre, &c.

†See chap. 62.

Lands remaining unsold, &c., with the exceptions mentioned, may be disposed of at private sale, &c.

the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States in the Mississippi Territory; and patents shall be obtained for lands sold in said district in the same manner and on the same terms as are provided by law for other public lands sold in the Mississippi Territory.*

SEC. 2. *And be it further enacted*, That the superintendents of the public sales directed by this act shall each receive six dollars a day for every day's attendance on the said sales.

Approved, June 15, 1809.

[See Part II, Nos. 213, 239.]

*See chap. 62.

Superintendents of public sales to receive, each, \$6 for every day's attendance.

CHAP. 105.—An act extending the time for issuing and locating military land warrants.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and thirteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located in the names of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and thirteen, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants.

Approved, December 19, 1809.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

†See former act, of 21st March, 1806, ante, chap. 97; and act of July 5, 1813, chap. 155, post: & chapters 167, 181, 211, 226, § 2, 264, 265, 322, 346, 402, § 6, 442, 461, 479.

The Secretary of War authorized to issue military land warrants to such persons as, before the 1st of March, 1813, produce satisfactory evidence of the validity of their claims, &c. The warrants, &c. may be located in the names of the holders or proprietors, prior to the 1st of October, 1813, on any unlocated parts of the fifty quarter townships, &c.

CHAP. 106.—An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices, and for the relief of Job Garret.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the first day of June next, every person making application, at any of the land offices of the United States, for the purchase, at private sale, of a tract of land, shall produce to the register a memorandum, in writing, describing the tract, which he shall enter by the proper number of the section, half section, or quarter, (as the case may be,) and of the township and range, subscribing his name thereto, which memorandum the register shall file and preserve in his office.

SEC. 2.†

Approved, February 24, 1810.

After the 1st of June, 1810, persons applying at any of the land offices of the United States for the purchase, at private sale, of a tract of land, to produce to the register a memorandum, in writing, describing the tract, etc.

†Private.

*See former act, of 7th April, 1798, ch. 86. See also chap. 132, post.

CHAP. 107.—An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all persons having claims under the resolutions of Congress passed the twenty-third day of April, one thousand seven hundred and eighty-three, and the thirteenth of April, one thousand seven hundred and eighty-five,† as refugees from the British provinces of Canada and Nova Scotia, shall transmit to the War Office, within two years after the passing of this act, a just and true account of their claims to the bounty of Congress.

Persons having claims under the resolutions of Congress referred to, as refugees from Canada and Nova Scotia, to transmit an account of their claims to the War Office within two years, etc.
†See chap. 10, ante.

Description of persons entitled to the benefits of this act.

1. Heads of families, and single persons, resident in Canada or Nova Scotia prior to the 4th of July, 1776, and who abandoned their settlements, etc. and did not return prior to the 25th of November, 1783.

2. Widows and heirs of refugees who died in the United States, etc.

3. Members of families who entered into the service of the United States during the war, etc.

The proof of the circumstances necessary to entitle the applicants to the benefits of this act may be taken before judges of State or of the United States courts.

The Secretary of War to lay the evidence of claims before the Secretary and Comptroller of the Treasury, and, with them, to examine and decide what quantity of land ought to be allowed, etc.

SEC. 2. *And be it further enacted,* That no other person shall be entitled to the benefits of the provisions of this act than those of the following descriptions, or their widows and heirs, viz: First, Those heads of families, and single persons not members of any such families, who were residents in one of the provinces aforesaid prior to the fourth day of July, one thousand seven hundred and seventy-six, and who abandoned their settlements in consequence of having given aid to the United Colonies or States in the revolutionary war against Britain, or with intention to give such aid, and continued in the United States, or in their service, during the said war, and did not return to reside in the dominions of the King of Great Britain prior to the twenty-fifth day of November, one thousand seven hundred and eighty-three. Second, The widows and heirs of all such persons as were actually residents as aforesaid, who abandoned their settlements as aforesaid, and died within the United States, or in their service, during the said war. And, thirdly, All persons who were members of families at the time of their coming into the United States, and who, during the war, entered into their service.

SEC. 3. *And be it further enacted,* That the proof of the several circumstances necessary to entitle the applicants to the benefits of this act may be taken before a judge of the supreme or district court of the United States, or a judge of the supreme or superior court, or the first justice or first judge of the court of common pleas, or county court, of any State.

SEC. 4. *And be it further enacted,* That at the expiration of fifteen months from and after the passing of this act, and from time to time thereafter, it shall be the duty of the Secretary for the Department of War to lay such evidence of claims as he may have received before the Secretary and Comptroller of the Treasury, and, with them, proceed to examine the testimony, and give their judgment what quantity of land ought to be allowed to the individual claimants, in proportion to the degree of their respective services, sacrifices, and sufferings, in consequence of their attachment to the cause of the United States; allowing to those of the first

class a quantity not exceeding one thousand acres, and to the last class a quantity not exceeding one hundred, making such intermediate classes as the resolutions aforesaid and distributive justice may, in their judgment, require, and make report thereof to Congress. And in case any such claimant shall have sustained such losses and sufferings, or performed such services, for the United States, that he cannot justly be classed in any one general class, a separate report shall be made of his circumstances, together with the quantity of land that ought to be allowed him, having reference to the foregoing ratio: *Provided*, That in considering what compensation ought to be made by virtue of this act, all grants, except military grants, which may have been made by the United States or individual States, shall be considered at the just value thereof at the time the same were made, respectively, either in whole or in part, as the case may be, a satisfaction to those who may have received the same: *Provided, also*, That no claim under this law shall be assignable until after report made to Congress as aforesaid, and until the said lands be granted to the persons entitled to the benefit of this act.

SEC. 5. *And be it further enacted*, That all claims in virtue of said resolutions of Congress which shall not be exhibited, as aforesaid, within the time by this act limited, shall forever thereafter be barred: *Provided*, That no patent shall be issued to any person who may hereafter establish his claim under the said act, until he produce satisfactory evidence to the Secretary of the Treasury that he is at the time then being a resident within the United States.

Approved, February 24, 1810.

Claimants of the first class to be allowed not exceeding 1,000 and of the last not exceeding 100 acres, with intermediate classes, etc.

Separate report to be made of claimants who, on account of services, etc., cannot justly be classed in any one general class, etc.

Proviso; in considering what compensation ought to be made by this act, all grants, except, etc. at the just value to be estimated as satisfaction, etc.

Proviso; no claim assignable until the lands be granted, etc.

Claims, etc. not exhibited within the time limited, forever barred.

Proviso; no patent to issue, etc. until the party produces evidence that he is at the time a resident, etc.

CHAP. 108.—An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary of the Department of War.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of five years, from and after the passage of this act, to obtain warrants and complete their locations, and a further term of seven years, from and after the passage of this act, as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the office of the Secretary of the War Department, any thing in any former act to the contrary notwithstanding: *Provided*, That no locations, as aforesaid, within the above-mentioned tract, shall, after the passing of this act, be made

*Time further extended. See act of 3d of November, 1814, chap. 167.

The officers and soldiers of the Virginia line on continental establishment, etc. allowed a further term of five years, etc. to obtain warrants and complete locations, and a further term of seven years, etc. to return their surveys, etc.

Proviso; no locations within the tract mentioned, after the 16th of March, 1810, to be made on tracts for which patents had been previously issued, etc.

on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this section, shall be considered as null and void.

Approved, March 16, 1810.

[See Part II, Nos. 2, 35, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

CHAP. 109.—An act providing for the sale of certain lands in the Indiana Territory, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that tract of land to which the Indian title was extinguished by the treaty made at Fort Wayne on the thirtieth day of September, in the year one thousand eight hundred and nine, lying west and adjoining to the boundary line established by the treaty of Greenville, shall be attached to and made a part of the district of Cincinnati; and the residue of the lands to which the Indian title was extinguished by the said treaty, and other treaties made at Vincennes in the same year, shall be attached to and made a part of the district of Vincennes; and the said lands, with the exception of section number sixteen, which shall be reserved in each township for the use of schools within the same, shall be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public moneys at the places, respectively, where the land offices are kept, and on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose. The sales shall remain open at Cincinnati one week, and at Vincennes three weeks, and no longer; the lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been or may be provided for lands sold in the same districts; all the lands in the said tracts, with the exception above mentioned, remaining unsold at the close of the said sales, may be disposed of at private sale by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of lands in the same districts; and patents shall be obtained in the same manner and on the same terms as for other public lands sold in the same districts.*

SEC. 2. *And be it further enacted,* That the several superintendents of public sales directed by this act shall receive four dollars a day for each day's attendance on the said sales.

The tract of land to which the Indian title was extinguished by the treaty of Fort Wayne, &c., to be attached to the districts of Cincinnati and Vincennes.

The lands referred to, with the exception of No. 16, to be offered for sale to the highest bidder, &c.

The sales to remain open at Cincinnati one week, and at Vincennes three weeks; lands not to be sold for less than \$2 per acre, &c.

Lands remaining unsold, except &c., may be disposed of at private sale, &c.

Patents to be obtained as for other public lands in the same districts.

*See sect. 5, chap. 68, and section 3, chap. 125.

Superintendents of sales under this act to receive \$4 a day, &c.

SEC. 3. *And be it further enacted*, That from and after the first day of June next, the second principal meridian established by the surveyor general in the Indiana Territory shall be the boundary between the districts of Vincennes and Jeffersonville; and the lands included in the said districts, respectively, according to the boundaries above mentioned, shall become a part of the district in which they are included, and shall be sold at the same place, in the same manner, and on the same terms and conditions, as the other public lands lying in the same district.

After the 1st June, 1810, the 2d principal meridian established by the surveyor general in the Indiana, &c. to be the boundary between the districts of Vincennes and Jeffersonville, &c.

SEC. 4. *And be it further enacted*, That any person or persons entitled to donation lands in the district of Vincennes, by any former resolution or act of Congress, and who were minors, or did not reside within the Indiana Territory during the time allowed by law for registering claims to land within the said district, and whose claims have not heretofore been presented to either of the boards of commissioners for adjusting claims to land at Vincennes and Kaskaskia, may, until the first day of November next, give notice, in writing, to the register of the land office of the said district, of their claims, and have the evidence of the same recorded, in the same manner and on payment of the fees provided by an act entitled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes;"* and the right of any such persons neglecting to give such notice of his claim, and to have the evidence of the same recorded, shall become void and forever be barred.†

Persons entitled to donation lands in the district of Vincennes, by any former resolution or act of Congress, and who were minors, &c. during the time allowed by law for registering claims, permitted, until the 1st of Nov. 1810, to give notice to the register, and have the evidence recorded, as provided by the act mentioned.

SEC. 5. *And be it further enacted*, That the register of the land office and the receiver of public moneys at Vincennes shall perform the same duties and exercise the same powers, in relation to the claims filed with the register under this act, which, by the last-recited act, were enjoined on or vested in the commissioners designated by the said act; and it shall also be the duty of the said register and receiver to make to the Secretary of the Treasury a report of all the claims thus filed with the register of the land office, together with the substance of the evidence adduced in support thereof, with such remarks thereon as they may think proper; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress, at their next session, for their determination thereon; and the said register and receiver shall each be allowed an additional compensation of one hundred dollars, in full for their services in relation to such claims, and one hundred dollars for clerk hire.

*Chapter 69.

†The right of persons neglecting to give notice, &c. barred.

†See chap. 150.

The register and receiver at Vincennes to perform the same duties, &c. in relation to the claims filed under this act, as are enjoined on the commissioners by the act referred to, and to report to the Secretary of the Treasury, who is to lay the report before Congress, &c.

The register and receiver allowed an additional compensation of \$100, and \$100 for clerk hire.

SEC. 6. *And be it further enacted*, That a tract of land in the Illinois Territory, at and including Shawneetown, on the Ohio river, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into out-lots, in such manner and of such dimensions as he may judge proper: *Provided*, The tract so to be laid off

A tract of land in the Illinois Territory, including Shawneetown, &c. to be laid off into town lots, &c., under the direction of the surveyor general, &c.

Proviso; the tract shall not exceed the quantity of land contained in two entire sections, nor the town lots one quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor general, on which the town lots and out-lots shall, respectively, be designated by progressive numbers; who shall cause two copies to be made, one to be transmitted to the Secretary of the Treasury, and the other to the register of the land office; and the lots shall be offered to the highest bidder at public sale, at the same time and place, on the same terms and conditions, (except as to the quantity of land,) as have or may be provided for the sale of the other public lands in the said Territory: *Provided*, That no town lot shall be sold for a less price than eight dollars, nor any out-lot for less than at the rate of five dollars an acre.

The lots to be offered at public sale, &c.

Proviso; no town lot to be sold for less than \$8, nor any out lot for less than \$5 an acre.

Approved, April 30, 1810.

[See Part II, Nos. 13, 215, 226.]

CHAP. 110.—An act to extend the time for making payment for the public lands of the United States in certain cases.*

*See former act of 2d of March, 1809, ante, chapter 103.

persons who, prior to the 1st Jan. 1806, had purchased tracts of land, not exceed'g 640 acres, either at public or private sale, except, &c., and whose lands have not been sold, or reverted, for non-payment, &c., and who, for one year previous to the expiration of five y^{rs} from the date of the purchase, have actually inhabited the tracts thus purchased, and the time for making the last payment having expired on or before the 1st of Jan. 1811, allowed a further term of two years for payment of the residue, &c., the two years to commence from the expiration of one year from the day on which the last payment on account of the purchase should have become due, &c.

Conditions on which the term of two years is allowed.

1. Arrears of interest, &c. must have been paid, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who, prior to the first day of January, one thousand eight hundred and six, had purchased any tract or tracts of land of the United States, not exceeding, in the whole, six hundred and forty acres, at any of the land offices established for the disposal of said lands, whether such purchase was made at public or private sale, (sales by virtue of a pre-emption right only excepted,) and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase-money, and who shall, for the term of at least one year previous to the expiration of five years from the date of the purchase of the land, have actually inhabited and cultivated any one tract of land thus purchased; and the time for making the last payment on account of such purchase, according to former laws, may have expired, or shall expire on or before the first day of January next, shall be allowed a further term of two years for the payment of the residue of the principal due on account of such purchase; which further term of two years shall be calculated to commence from the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, and shall be allowed only on the following conditions, that is to say: First. That all the arrears of interest on the land purchased, to the end of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, shall have been paid at or before the end

of such year. Second. That the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in two equal annual payments, viz: one half of the said residue, with the interest which may then be due thereon, within one year; and the other half of the said residue, with the interest which may then be due thereon, within two years after the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due. And in case of failure in paying either the arrears of interest, or each of the two instalments of principal, with the accruing interest, at the time and times above mentioned, the tract of land shall be forthwith advertised and offered for sale, in the manner and on the terms and conditions now prescribed for the sale of lands purchased from the United States, and not paid for within the limited time; and shall revert, in like manner, to the United States, if the sum due, with interest, be not at such sale bidden and paid.

And in cases where any tract or tracts of land, not in the whole exceeding six hundred and forty acres, which have, since the first day of January last, reverted to the United States for default of payment, the original purchaser may again enter the same tract or tracts. And all moneys which such original purchaser may have paid shall be replaced to his credit by the receiver of public moneys of the respective land offices; and such repurchasers shall be allowed the same benefits of the extension of the time of payment created by this act, as though no such reversion had occurred: *Provided*, Such original purchaser shall make to the proper land officer such application for such re-entry as is required by law for the entry of lands; on or before the first day of June next, and the land so reverted shall not have then been previously resold.

Approved, April 30, 1810.

[See Part II, No. 13.]

CHAP. 111.—An act confirming the decisions of the commissioners in favor of the claimants of land in the district of Kaskaskia.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Kaskaskia, in favor of such claimants as entered in the transcript of decisions bearing date the thirty-first day of December, eighteen hundred and nine, which have been transmitted by the said commissioners to the Secretary of the Treasury, according to law, be, and the same are hereby, confirmed.

Approved, May 1, 1810.

[See Part II, Nos. 652, 653, 654.]

2. The residue of the principal due must be paid, with interest, in two equal annual payments, as specified.

In case of failure in paying, &c., the tracts of land to be advertised and offered for sale, &c., and to revert, &c.

Where tracts, not exceeding 640 acres, have, since the 1st Jan. 1810, reverted for default of payment, the original purchasers may again enter, &c., and the moneys which they may have paid to be replaced to their credit, &c., and they are to be allowed the benefits of this act.

Provided: original purchasers to make, to the proper land officer, application for re-entry, &c. before the 1st June, 1810, and if the land has not been resold.

All the decisions made by the commissioners appointed for the purpose of examining claims to land in the district of Kaskaskia, in favor of the claimants, etc. bearing date the 31st December, 1809, etc. confirmed.

*Repealed. See act of 3d March, 1811, sec. 14, chap. 116, post. Supplied by the same act.

CHAP. 112.—An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the Territories of Orleans and Louisiana.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries, respectively, ceased, that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favor or against the claim; which allowance of fifty cents shall be paid at the Treasury of the United States, from time to time, and on receipt of the transcripts of the decisions, and of the reports of claims not finally confirmed, as the same may be transmitted by the boards, respectively, to the Secretary of the Treasury, according to law. To each of the said commissioners and clerks, a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards, respectively, to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole, for each, the term of eighteen months: *Provided, always,* That the above-mentioned allowance of fifty cents for each claim decided upon shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided, also,* That no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury, for any period of time subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

Specific allowance, etc. to the several officers appointed for ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana, to be in full, etc.

A further allowance of 500 dollars to each commissioner and clerk, after the completion of the business, etc.

At the rate of \$600 a year to each of the translators, not to exceed, etc.

Provided; the allowance of 50 cents for each claim decided, not to be made to any commissioner who may be absent, etc.

Provided; no allowance to any agent heretofore employed by the Secretary of the Treasury for any period after he ceased to act, etc.

The two principal deputy surveyors of the Orleans Territory, in surveying and dividing public lands adjacent to any river, creek, etc. authorized to vary the mode heretofore prescribed, so far as relates to the contents, angles, and boundary lines, and to lay out the same into tracts of 58 poles in front, etc.

Provided; the deviations from the ordinary mode of surveying to be made in conformity with

SEC. 2. *And be it further enacted,* That the two principal deputy surveyors of the Territory of Orleans shall be, and they are hereby, authorized, in surveying and dividing such of the public lands in the said Territory which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou, or watercourse, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and to the angles and boundary lines, and to lay out the same into tracts, as far as practicable, of fifty-eight poles in front, and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines, as the nature of the country will render practicable and most convenient: *Provided, however,* That such deviations from the ordinary mode of surveying shall be made with the approbation of, and in con-

formity with, the general instructions which may be given to that effect by the surveyor of the public lands south of the State of Tennessee.

SEC. 3. *And be it further enacted,* That, for the disposal of the lands of the United States lying in the eastern land district of the Territory of Orleans, a land office shall be established at New Orleans; and that, for the disposal of the lands of the United States lying south of Red river, in the western land district of the Territory of Orleans, a land office shall be established at Opelousas; and that, for the disposal of the lands of the United States lying north of Red river, in the western land district of the Territory of Orleans, a land office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the Territory of Orleans shall act as register of the land office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And, for the land office north of the Red river, a register, and, for each of the said three offices, a receiver of public moneys, shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties, and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States in the Territory of Mississippi.*

the general instructions of the surveyor of the public lands south of Tennessee.

A land office to be established at New Orleans, etc.
A land office to be established at Opelousas, etc.
A land office to be established at such place as the President may direct, for the disposal of lands lying north of Red river, etc.
The register of the western land district of the Territory of Orleans to act as register, etc. of Opelousas, etc.

A register for the land office north of Red river, and a receiver for each of the three offices, to be appointed, etc., to receive the same compensations, etc. as registers, etc. in the Territory of Mississippi.

*See chapter 62.

SEC. 4. *And be it further enacted,* That the powers vested in the President of the United States by the eleventh section of the act entitled "An act supplementary to an act entitled 'An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana,'"† passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands lying in the western district of the Territory of Orleans, and all the other provisions made by the same section for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby, in every respect, extended to the public lands lying in the eastern district of the Territory of Orleans.

The powers vested in the President, by the 11th section of the act mentioned, in relation to the public lands in the western district of the Territory of Orleans, and all the other provisions of the same section for the sale of said lands, etc. extended to the public lands lying in the eastern district of the Territory of Orleans.

†Ante, chapter 84.

SEC. 5. *And be it further enacted,* That every person who, either by virtue of a French or Spanish grant, recognised by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans, owns a tract of land bordering on any river, creek, bayou, or watercourse, in the said Territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in

Every person who, either by a French or Spanish grant, recognised, etc. or under a claim confirmed, etc. owns a tract of land bordering on any river, etc. in the Territory, etc. not exceeding in depth 40 arpens, etc. to be entitled to a preference in becoming purchaser of any vacant tract, etc. as provided by law for other public lands in the Territory.

The principal deputy surveyor of each district authorized, etc. to cause to be surveyed the tracts claimed by this section; and where, by reason of bends in the river, etc. each claimant cannot obtain a tract equal in quantity, etc. to divide the vacant land between the claimants, etc.

Proviso: the right of pre-emption under this section not to include lands fit for cultivation bordering on another river, etc.

Persons entitled to the benefit of this section to deliver, within 3 years, etc. to the register of the proper land office, a notice, in writing, stating the tracts they wished to purchase, etc.

Persons failing to deliver notice within 3 years, etc. their rights of pre-emption cease, and the land may be purchased by any other person, etc.

The land offices established by virtue of the 4th sec. of this act to be opened on the 1st of January, 1812, for the sale of all the public lands, except No. 16, salt springs, etc. and tracts reserved for the support of seminaries of learning, etc., which have been previously surveyed, etc., and on the 1st of February, 1812, for the sale of public lands as cannot be surveyed in the ordinary way, embraced by the provisions of the 3d section of this act, and advertised six weeks previously, etc.

quantity of land that which is contained in his own tract, at the same price and on the same terms and conditions as are or may be provided by law for the other public lands in the said Territory. And the principal deputy surveyor of each district, respectively, shall be, and he is hereby, authorized, under the superintendence of the surveyor of the public lands south of the State of Tennessee, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or watercourse, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided, however,* That the right of pre-emption, granted by this section, shall not extend so far in depth as to include lands fit for cultivation, bordering on another river, creek, bayou, or watercourse. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office a notice, in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times which are or may be prescribed by law for the disposal of the other public lands in the said Territory: the time of his delivering the notice aforesaid being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person, in the same manner and on the same terms as are or may be provided by law for the sale of other public lands in the said Territory.

SEC. 6. *And be it further enacted,* That the land offices established by virtue of the fourth section of this act shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section "number sixteen," of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning, as hereinafter provided, which shall have been previously surveyed, and the surveys thereof returned, according to law, to the registers of the land offices, respectively; and, on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands which, from the nature of the country, cannot be surveyed in the ordinary way, and are embraced by the provisions of the third section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the State of Tennessee, with the approbation of the Presi-

dent of the United States. The public sales for the lands subdivided into quarter sections in the ordinary way shall be held for one calendar month, under the superintendence of the register and receiver of each land office, respectively, and of either of the surveyor of public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales for a less price than that which is or may be prescribed by law for the sale of public lands in the Mississippi Territory.* And from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the third section of this act, the sale of which is authorized by this section, may be disposed of at private sale, by the register of the land office, for the same price which is or may be prescribed by law for the sale of public lands in the Mississippi Territory.† All the lands sold [by] virtue of this section shall, in every other respect, be sold on the same terms of payment, and conditions, in the same manner, and under the same regulations, as are or may be prescribed by law for the sale of public lands in the Mississippi Territory:‡ *Provided, however,* That, in case of an application being made at the same time for the purchase, at private sale, of the same tract of land by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application, the preference shall be given to the person thus inhabiting and cultivating such tract of land: *And provided, also,* That, till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been, in due time and according to law, presented to the register of the land office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans, or which shall have been located by or for Major General Lafayette, according to law.

SEC. 7. *And be it further enacted,* That in addition to the township already reserved for that purpose by law, in the western district of the Territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the Secretary of the Treasury north of Red river, for the use of a seminary of learning, and also an entire township in the Territory of Louisiana, for the support of a seminary of learning within the said Territory.

SEC. 8. *And be it further enacted,* That the surveyor general shall cause such of the public lands, in the Territory of Louisiana, as the President of the United States shall direct, to be surveyed and divided, in the same manner, and under the same regulations and limitation as to expenses, as is

The public sales for lands subdivided into quarter sections, etc. to be held for 1 calendar month under the superintendence of the register and receiver, etc., who are each to receive 6 dollars for every day's attendance.

No tract to be sold at public sale for a less price than that prescribed for lands in the Mississippi Territory.

*See chap. 62. After the 1st Feb. 1812, any tract offered at public sale, and remaining unsold, and any tract embraced by the provisions of the 3d section of this act, etc. may be disposed of at private sale, etc. for the same price, etc.

†See chap. 62. All the lands sold by virtue of this section to be sold on the same terms, etc. as prescribed by law for the sale of public lands in the Mississippi Territory.

‡See chap. 62.

Proviso; until after the final decision of Congress, no tract to be offered for sale, the claim to which has been in due time, etc. presented to the register, and filed, etc. or which has been located for Major General Lafayette, etc.

In addition to the township to be located south of Red river, another township to be located, etc. north of Red river, etc., and a township, etc.

The surveyor general to cause such public lands in the Territory of Louisiana as the President directs, to be surveyed and divided, etc.

provided by law in relation to the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.*

*See chap. 51.

A land office at such place as the President may direct, to be established for the disposal of lands in the Territory of Louisiana, (Missouri,) and a register and receiver to be appointed, etc.

SEC. 9. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the Territory of Louisiana, a land office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public moneys shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties, and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law in relation to the register and receiver of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.†

†See chap. 51.

The President, when he thinks proper, may direct so much of the public lands in the Territory of Louisiana, etc. to be offered for sale.

All the land surveyed, etc., with the exception of No. 16, to be reserved in each township for the support of schools, and of a tract reserved by the 8th section of this act, etc. and to be offered for sale, etc.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, whenever he shall think proper, to direct so much of the public lands, lying in the Territory of Louisiana, as shall have been surveyed in conformity with the ninth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved, in each township, for the support of schools within the same, with exception also of a tract reserved for the support of a seminary of learning, as provided for by the eighth section of this act, and with the exception also of the salt springs and lead mines, and lands contiguous thereto, which, by the direction of the President of the United States, may be reserved for the future disposal of the said States, shall be offered for sale to the highest bidder, under the direction of the register of the land office, and the receiver of public moneys, and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands northwest of the river Ohio, and above the mouth of Kentucky river: and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the State of Ohio. The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office, for the same price which is or may be prescribed by law for the sale of public lands in the State of Ohio: *Provided, however*, That, till after the decision of Congress thereon, no tract of land shall be offered

The sales to remain open three weeks, etc.

The lands to be sold for a price not less than that fixed for those northwest of the Ohio, etc. and in tracts of the same size, etc. as lands in Ohio.

Superintendents of sales to receive \$6 for each day's attendance.

Lands, etc. remaining unsold, may be disposed of at private sale, by the register, etc.

Proviso; until the decision of Congress, no tract to be

or sale, the claim to which has been, in due time and according to law, presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the Territory of Louisiana. And patents shall be obtained for all lands sold in the Territory of Louisiana, in the same manner and on the same terms as is or may be provided by law for land sold in the State of Ohio.

SEC. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by the act entitled "An act respecting claims to lands in the Territories of Orleans and Louisiana,"* shall be deemed valid, although the relinquishment of the said corporation, to any claim beyond the said distance of six hundred yards, was not made till after the expiration of the period of six months, prescribed by the act last mentioned. (1)

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the Territories of Orleans and Louisiana shall be, and forever remain, public highways.

SEC. 13. *And be it further enacted*, That a sum not exceeding forty thousand dollars be, and the same is hereby, appropriated for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated moneys in the Treasury.

Approved, February 15, 1811.

(1) See Part II, p. 33, No. 30.

[See Part II, Nos. 15, 19, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 219, 296, 446, 774, 812, 814, 822, 825, 826, 827, 828, 829, 831, 836, 837, 839, 840, 842, 851, 853, 855, 862, 884, 913, 921, 923, 933, 945, 946, 952, 954, 958.]

offered for sale, the claim to which has been in due time, etc. presented to the recorder, etc. in the district of Louisiana, and filed for investigation by the commissioners for ascertaining rights, etc.

Patents to be obtained for lands sold in the Territory of Louisiana, as provided by law for land sold in the State of Ohio.

The claim of the corporation of N. Orleans to the common adjacent, etc. as confirmed by the act mentioned, to be deemed valid, although the relinquishment to any claim beyond, etc. was not made, etc.

*Ante, chap. 91.

Navigable rivers and waters in the Territories of Orleans and Louisiana, forever to remain public highways.

Not exceeding \$40,000 appropriated for carrying this act into effect, etc.

CHAP. 113.—An act to enable the people of the Territory of Orleans to form a constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States, and for other purposes. †

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the inhabitants of all that part of the territory or country ceded under the name of Louisiana, by the treaty made at Paris on the thirtieth day of April, one thousand eight hundred and three, between the United States and France, contained within the following limits, that is to say: Beginning at the mouth of the river Sabine; thence, by a line to be drawn along the middle of the said river, including all islands, to the thirty-second degree of latitude; thence, due north, to the northernmost part of the thirty-third degree of north latitude; thence, along the said parallel of latitude, to the river Mississippi; thence, down the said river, to the river Iberville; and from thence, along the middle of the

†See the const., art. 4, sec. 3, clause 1. See, also, the treaty between the United States and the French republic, of 30th April, 1803, art. 3.

The inhabitants of that part of Louisiana within the limits described, authorized to form for themselves a constitution and State Government, and to assume what name they deem proper, upon the conditions, etc. mentioned.

said river and lakes Maurepas and Ponchartrain, to the Gulf of Mexico ; thence, bounded by the said gulf, to the place of beginning ; including all islands within three leagues of the coast, be, and they are hereby, authorized to form for themselves a constitution and State Government, and to assume such name as they may deem proper, under the provisions and upon the conditions hereinafter mentioned.

All free white male citizens, who have arrived at the age of 21 years, residents of the Territory at least one year previous to the day of election, who have paid a territorial, etc. tax, and persons having, in other respects, legal qualifications to vote for representatives in the General Assembly of the Territory, authorized to choose representatives, etc.

The number of representatives not to exceed sixty, etc.

SEC. 2. *And be it further enacted*, That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said Territory at least one year previous to the day of election, and shall have paid a territorial, county, district, or parish tax ; and all persons having, in other respects, the legal qualifications to vote for representatives in the General Assembly of the said Territory, be, and they are hereby, authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties, districts, and parishes, within the said Territory of Orleans, in such manner as the Legislature of the said Territory shall by law direct. The number of representatives shall not exceed sixty ; and the elections for the representatives aforesaid shall take place on the third Monday in September next, and shall be conducted in the same manner as is now provided by the laws of the said Territory for electing members for the House of Representatives.

The members of the convention authorized to meet at New Orleans on the first Monday of November, 1811. The convention must first decide whether it be expedient to form a State constitution, etc.

If determined to be expedient, then the convention must declare, etc. that it adopts the constitution of the United States, and then it may form a State Government, etc.

The constitution to be formed must be republican, and consistent with the constitution of the United States, etc.

SEC. 3. *And be it further enacted*, That the members of the convention, when duly elected, be, and they are hereby, authorized to meet, at the city of New Orleans, on the first Monday of November next ; which convention, when met, shall first determine, by a majority of the whole number elected, whether it be expedient or not, at that time, to form a constitution and State Government, for the people within the said Territory ; and if it be determined to be expedient, then the convention shall in like manner declare, in behalf of the people of the said Territory, that it adopts the constitution of the United States ; whereupon the said convention shall be, and hereby is, authorized to form a constitution and State Government for the people of the said Territory : *Provided*, The constitution to be formed, in virtue of the authority herein given, shall be republican, and consistent with the constitution of the United States ; that it shall contain the fundamental principles of civil and religious liberty ; that it shall secure to the citizen the trial by jury in all criminal cases, and the privilege of the writ of habeas corpus, conformably to the provisions of the constitution of the United States ; * and that, after the admission of the said Territory of Orleans as a State into the Union, the laws which such State may pass shall be promulgated, and its records of every description shall be preserved, and its judicial and legislative written proceedings conducted, in the language in which the laws and the judicial and legislative written proceedings of the United States are now published and conducted ; *And*

* See the const., art. 4, sec. 4, cl. 1 ; and the provisions of the constitution, *passim*.

After the admission of the Territory of Orleans as a State, etc. the laws to be in the language in which the laws, etc. of the

provided, also, (1) That the said convention shall provide by an ordinance, irrevocable without the consent of the United States, that the people inhabiting the said Territory do agree and declare that they forever disclaim all right or title to the waste or unappropriated lands lying within the said Territory; and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land sold by Congress shall be and remain exempt from any tax, laid by the order or under the authority of the State, whether for State, county, township, parish, or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof; and that the lands belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States; and that the river Mississippi, and the navigable rivers and waters leading into the same, or into the Gulf of Mexico, shall be common highways, and forever free, as well to the inhabitants of the said State as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State.

United States are published, etc. *Provido;* the convention to declare, by an ordinance, irrevocable, etc., that the people of the Territory forever disclaim all right or title to the waste or unappropriated lands, etc., that the same shall be at the entire disposition of the United States, and that each tract sold by Congress shall be exempt from any State tax for five years after the days of sales, etc.; the Mississippi, etc. to be common highways, forever free, etc.

SEC. 4. *And be it further enacted,* That in case the convention shall declare its assent, in behalf of the people of the said Territory, to the adoption of the constitution of the United States, and shall form a constitution and State Government for the people of the said Territory of Orleans, the said convention, as soon thereafter as may be, is hereby required to cause to be transmitted to Congress the instrument by which its assent to the constitution of the United States is thus given and declared, and, also, a true and attested copy of such constitution, or frame of State Government, as shall be formed and provided by said convention; and if the same shall not be disapproved by Congress, at their next session after the receipt thereof, the said State shall be admitted into the Union upon the same footing with the original States.

In case the convention adopts the constitution of the United States, and forms a State constitution, etc., the instrument of adoption, etc. to be transmitted to Congress, and if not disapproved, the State is to be admitted into the Union, etc.

SEC. 5. *And be it further enacted,* That five per centum of the nett proceeds of the sales of the lands of the United States, after the first day of January, shall be applied to laying out and constructing public roads and levees in the said State, as the Legislature thereof may direct.

Five per cent. of the nett proceeds of the sales of lands, etc. to be applied to laying out public roads, etc.

Approved, February 20, 1811.

(1) See Part II, No. 13.

CHAP. 114.—An act providing for the sale of a tract of land lying in the State of Tennessee, and a tract in the Indiana Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the commissioners appointed by an act of the Legislature of the State of Tennessee, passed on the four-

The commissioners appointed by an act of the Legislature of Tennessee, etc. to fix on a site for the town of Pulaski,

etc. authorized, on producing a receipt from the receiver of public moneys, for 1-20th part of the purchase-money, to enter, etc. a tract of 640 acres, etc. at the same price, etc. as other public lands sold at private sale, etc.

On completing the payment, a patent to be granted, in trust for the use of the county of Giles, etc.

The commissioners appointed by an act of the Legislature of Indiana, to fix on a proper site for the permanent seat of Government for that Territory, authorized, etc. as soon as surveys have been made of the lands which they may select, and on producing a receipt from the receiver, etc. for at least 1-20th part of the purchase-money, to enter with the register, etc. any four quarter sections, etc.

On completing the payment, etc. a patent to be granted, etc. in trust for the use of the Territory, etc.

teenth day of November, one thousand eight hundred and nine, to fix on a site for the town of Pulaski, in the county of Giles, and State aforesaid, and their successors in office, be, and they are hereby, authorized, on producing a receipt from the receiver of public moneys, for at least one twentieth part of the purchase-money, to enter with the register of the land office, established for the lands ceded to the United States by the Cherokee and Chickasaw Indians, in the Mississippi Territory, a tract of land lying in a regular square, and containing six hundred and forty acres, which has or may be fixed on as a site for the town of Pulaski, as aforesaid, at the same price and on the same terms and conditions of payment as are provided with respect to the other public lands sold at private sale at the said office; and, on completing the payment of the purchase-money, a patent shall be granted therefor, to the said commissioners and their successors in office, in trust for the use of the said county of Giles, for the purpose aforesaid.

SEC. 2. *And be it further enacted,* That the commissioners appointed by an act of the Legislature of the Indiana Territory, to fix on a proper site for the permanent seat of Government for the said Territory, be, and they are hereby, authorized, and their successors in office, so soon as the surveys under the authority of the United States shall have been made of the lands which they shall select, and on producing a receipt from the receiver of public moneys for at least one twentieth part of the purchase-money, to enter with the register of the land office for the district in which the land lies, any four quarter sections of land, adjoining to each other, which have not been reserved by any former act of Congress, and which the said commissioners may select and fix on as a site for the permanent seat of Government for the said Territory; and payment shall be made therefor at the same price and on the same terms and conditions as are provided in respect to the other public lands sold at private sale in the same district; and, on completing the payment of the purchase-money, a patent shall be granted therefor, to the said commissioners and their successors in office, in trust for the use of said Territory, for the purpose aforesaid.

Approved, February 25, 1811.

[See Part II, Nos. 13, 611.]

CHAP. 115.— An act providing for the removal of the land office established at Nashville, in the State of Tennessee, and Canton, in the State of Ohio, and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he

hereby is, authorized to remove the land office established for the sale of the public lands ceded to the United States by the Cherokee and Chickasaw Indians, in the Mississippi Territory, from Nashville, to such place, within the district for which it was established, as he may judge most proper; and to remove the land office from Canton, in the State of Ohio, to some suitable place within the district for which it was established.*

SEC. 2. *And be it further enacted,* That the public sales of the public lands in the district east of Pearl river, in the Mississippi Territory, and also in the district of Kaskaskia, in the Illinois Territory, be conducted under the superintendence alone of the register and receiver of public moneys for the said districts, who are hereby authorized and empowered to superintend the same, in their respective districts, any law to the contrary notwithstanding; and they shall receive the compensation provided by law for the superintendents of public sales in the districts aforesaid.

SEC. 3. *And be it further enacted,* That if any tract of the public lands, which has been sold, or may hereafter be sold, in any State or Territory wherein a land office is or may be established, and on which complete payment has not or may not have been made within the time prescribed by law for completing the same, and the tract having been advertised for sale agreeably to law, it shall be lawful to offer the same for sale at public vendue, at the time and place of the sitting of the court for the county in which the land office is kept for the district to which the tract belongs, whether the court shall be denominated a court of quarter sessions, or by whatever other designation it may be known.

Approved, February 25, 1811.

[See Part II, No. 64.]

CHAP. 116.—An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries, respectively, ceased, that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that

The President authorized to remove the land office from Nashville, to such place, within the district for which it was established, &c., and to remove the land office from Canton, &c. to some suitable place, &c.

*See chapter 172.

The public sales of land in the district east of Pearl river, and in that of Kaskaskia, to be conducted under the superintendence of the register and receiver alone, &c., and they are to receive the compensation provided by law for superintendents, &c.

If any tract of public land has been sold, &c. where a land office is established, and complete payment thereon has not been made within the time prescribed, the tract having been advertised for sale, &c., the same may be offered at public vendue, at the time and place of sitting of the court for the county, &c.

†See ante, chapter 112, for original act, repealed; also act of 26th April, 1812, chap. 136, post.

Allowances and compensations to the several officers appointed for ascertaining rights of persons claiming lands in the Territories of Orleans and Louisiana, as specified, to be in full, &c.

day, or shall hereafter be made, whether such decision be in favor of or against the claim; which allowance of fifty cents shall be paid at the Treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be transmitted by the boards, respectively, to the Secretary of the Treasury, according to law. To each of the said commissioners and clerks, a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards, respectively, to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed, in the whole, for each, the term of eighteen months: *Provided, always*, That the above-mentioned allowance of fifty cents for each claim decided upon shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided, also*, That no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury, for any period of time subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

To each commissioner and clerk a further allowance of \$500, &c.

At the rate of \$600 a year to each of the translators, &c.

Provided; the allowance of fifty cents, &c. not to be made to any of the commissioners who may be absent, &c.

Provided; no allowance to any agent employed by the Secretary of the Treasury for time subsequent, &c.

The two principal deputy surveyors of the Territory of Orleans authorized, in surveying, &c. the public lands adjacent to any river, &c., to vary the mode heretofore prescribed, so far as relates to the contents of the tracts, and to the angles and boundary lines, &c.

SEC. 2. *And be it further enacted*, That the two principal deputy surveyors of the Territory of Orleans shall be, and they are hereby, authorized, in surveying and dividing such of the public lands in the said Territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou, or watercourse, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and to the angles and boundary lines, and to lay out the same into tracts, as far as practicable, of fifty-eight poles in front, and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines, as the nature of the country will render practicable, and most convenient: *Provided, however*, That such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with, the general instructions which may be given, to that effect, by the surveyor of the public lands south of the State of Tennessee.

Provided; the deviations, &c. to be made in conformity with the general instructions given by the surveyor of the public lands south of Tennessee.

Land offices to be established.

At New Orleans.

At Opelousas.

And for the disposal of lands lying north of Red river, a land office, &c.

SEC. 3. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the eastern land district of the Territory of Orleans, a land office shall be established at New Orleans; and that, for the disposal of the lands of the United States lying south of Red river, in the western land district of the Territory of Orleans, a land office shall be established at Opelousas; and that, for the disposal of the lands of the United States lying north of Red river, in the western land district of the Territory of Orleans, a land office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the Territory of Orleans shall act as register of the land office of Opelousas, and

as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And, for the land office north of the Red river, a register, and, for each of the said three offices, a receiver of public moneys, shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States in the Territory of Mississippi.*

SEC. 4. *And be it further enacted*, That the powers vested in the President of the United States, by the eleventh section of the act entitled "An act supplementary to an act entitled 'An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana,'"† passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands lying in the western district of the Territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby, in every respect, extended to the public lands lying in the eastern district of the Territory of Orleans.

SEC. 5. *And be it further enacted*, That every person who, either by virtue of a French or Spanish grant, recognised by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans, owns a tract of land bordering on any river, creek, bayou, or watercourse, in the said Territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price, and on the same terms and conditions, as are or may be provided by law for the other public lands in the said Territory. And the principal deputy surveyor of each district, respectively, shall be, and he is hereby, authorized, under the superintendence of the surveyor of the public lands south of the State of Tennessee, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or watercourse, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him may appear most equitable: *Provided, however*, That the right of pre-emption granted by this section shall not extend so far

The register of the western land district of the Territory of Orleans to act as register of the land office of Opelousas, &c.

A register to be appointed for the land office north of Red river, and a receiver, &c. for each of the three offices; to give security, &c. as provided in the case of register, &c. In the Territory of Mississippi.

*See chapter 62.

The powers vested in the President, in relation to lands lying in the western district of the Territory of Orleans, &c., extended to the public lands lying in the eastern district, &c.

†Ante, chapter 84.

Every person who, by virtue of a French or Spanish grant, recognised, &c., or under a claim confirmed by the commissioners, &c., owns a tract of land bordering on any river, &c., and not exceeding 40 arpens in depth, to be entitled to a preference in becoming the purchaser of any vacant tract adjacent, &c. to his own, not exceed'g 40 arpens, &c.

The principal deputy surveyor of each district, &c. to cause the tracts claimed by virtue of this section to be surveyed; and where, by reason of bends in the river, &c. each claimant cannot obtain a tract equal in quantity, to divide the vacant land between the claimants, &c.

Proviso; the right of pre-emption, &c. not to include lands fit for cultivation bordering on another river, &c.

Persons entitled to the benefit of this section to deliver, &c. to the register of the proper land office a notice, in writing, stating the situation and extent of the tracts, and also make the payments, &c.

If any person fails to deliver notice within the period, &c., his right of pre-emption becomes void, and the land may be purchased by any other person, &c.

The land offices established by the 3d section of this act, to be opened on the 1st of Jan. 1812, for the sale of all the public lands, except No. 16, salt springs, &c., and tracts reserved for the support of seminaries of learning, &c., which have been previously surveyed, &c.

The land offices, &c. on the 1st Feb. 1812, for the sale of such lands as cannot be surveyed in the ordinary way, embraced by the provisions of the 2d section of this act, and as have been advertised, &c.

*See chapter 117. The public sales, &c. to be held for one calendar mth, under the superintendence of the register, receiver, &c.

No tract to be sold for a less price than that prescribed for land in the Mississippi Territory.

After the 1st Feb. 1812, any tract offered at public sale and remaining unsold, and tracts embraced by the provisions of the 2d section of this act, may be disposed of at private sale, &c.

in depth as to include lands, fit for cultivation, bordering on another river, creek, bayou, or watercourse. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office a notice, in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times which are or may be prescribed by law for the disposal of the other public lands in the said Territory; the time of his delivering the notice aforesaid being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person, in the same manner and on the same terms as are or may be provided by law for the sale of other public lands in the said Territory.

SEC. 6. *And be it further enacted*, That the land offices established by virtue of the third section of this act shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section number sixteen, of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning, as hereinafter provided, which shall have been previously surveyed, and the surveys thereof returned, according to law, to the registers of the land offices, respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands which, from the nature of the country, cannot be surveyed in the ordinary way, and are embraced by the provisions of the second section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the State of Tennessee, with the approbation of the President of the United States.* The public sales for the land subdivided into quarter sections in the ordinary way shall be held for one calendar month, under the superintendence of the register and receiver of each land office, respectively, and of either the surveyor of public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales for a less price than that which is or may be prescribed by law for the sale of public lands in the Mississippi Territory. And from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the second section of this act, the sale of which is authorized by this section, may be disposed of at private sale, by the register of

the land office, for the same price which is or may be prescribed by law for the sale of public lands in the Mississippi Territory. All the lands sold by virtue of this section shall, in every other respect, be sold on the same terms of payment and conditions, in the same manner, and under the same regulations, as are or may be prescribed by law for the sale of public lands in the Mississippi Territory: * *Provided, however*, That in case of an application being made, at the same time, for the purchase, at private sale, of the same tract of land, by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application, the preference shall be given to the person thus inhabiting and cultivating such tract of land. *And provided, also*, That till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been, in due time, and according to law, presented to the register of the land office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans, or which shall have been located by or for Major General Lafayette, according to law.

SEC. 7. *And be it further enacted*, That in addition to the township already reserved for that purpose by law, in the western district of the Territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the Secretary of the Treasury north of Red river, for the use of a seminary of learning, and also an entire township in the Territory of Louisiana, for the support of a seminary of learning within the said Territory.

SEC. 8. *And be it further enacted*, That the surveyor general shall cause such of the public lands in the Territory of Louisiana, as the President of the United States shall direct, to be surveyed and divided, in the same manner, and under the same regulations and limitation, as to expenses, as is provided by law in relation to the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.†

SEC. 9. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the Territory of Louisiana, a land office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public moneys shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law in relation to the register and receiver of public moneys in the several offices established for the disposal of the lands of the United

Lands sold by virtue of this section, to be sold, in every other respect, on the same terms as prescribed for lands in the Mississippi Territory. *See chapter 62. Proviso: two or more persons applying for the same tract, preference to be given to the person inhabiting, &c.

Proviso: until Congress decide, no tract to be offered for sale, the claim to which has been duly presented to the register, &c., and filed, nor any tract located for Major General Lafayette, &c.

In addition to the township reserved, to be located south of Red river, another township for the use of a seminary of learning to be located north of Red river, and one in the Territory of Louisiana, &c.

The surveyor general to cause such of the public lands in the Territory of Louisiana as the President directs to be surveyed and divided, as provided in relation to lands northwest of the Ohio.

†See chapter 54.

A land office to be established for the disposal of the lands of the United States in the Territory of Louisiana, &c.

A register and receiver, &c. to be appointed, who are to give security, receive the compensations, and perform the duties, &c. as provided in relation to registers, &c. northwest of the Ohio.

*See chap. 54.

The President may direct so much of the public land in the Territory of Louisiana, as shall have been surveyed, &c., to be offered for sale.

All the lands surveyed d, &c. except No. 16, and, a tract reserved for the support of a seminary of learning, &c., to be offered for sale to the highest bidder, etc.

The sales to remain open three weeks, etc.

The lands to be sold for not less than the price fixed by law for the public lands northwest of the Ohio; and in every other respect to be sold in tracts of the same size, etc.

†See chap. 54. Superintendents of sales to receive each 6 dollars for every day's attendance.

Lands offered at public sale and remaining unsold, may be disposed of at private sale.

‡See chap. 54. *Provided*: until Congress decide, no tract to be offered for sale, the claim to which has been duly presented to the recorder, and filed, etc.

Patents for land sold in Louisiana, obtained in the same manner as for that sold in Ohio.

§See chap. 54. The claim of the corporation of New Orleans to the common adjacent, etc. to be deemed valid, although the relinquishment to any claim beyond 600 yards was not made till after the expiration of six months, etc.

States northwest of the river Ohio, and above the mouth of Kentucky river.*

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, whenever he shall think proper, to direct so much of the public lands lying in the Territory of Louisiana as shall have been surveyed in conformity with the eighth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with the exception also of a tract reserved for the support of a seminary of learning, as provided for by the seventh section of this act, and with the exception also of the salt springs and lead mines, and lands contiguous thereto, which, by the direction of the President of the United States, may be reserved for the future disposal of the said States, shall be offered for sale to the highest bidder, under the direction of the register of the land office, and the receiver of public moneys, and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The

sales shall remain open for three weeks, and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands northwest of the river Ohio, and above the mouth of Kentucky river. And shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the State of Ohio.† The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office, for the same price which is or may be prescribed by law for the sale of public lands in the State of Ohio.‡ *Provided, however*, That till after the decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been, in due time, and according to law, presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the Territory of Louisiana. And patents shall be obtained for all lands sold in the Territory of Louisiana, in the same manner, and on the same terms, as is or may be provided by law for land sold in the State of Ohio.§(1)

SEC. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by the act entitled "An

act respecting claims to lands in the Territories of Orleans and Louisiana,"* shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards was not made till after the expiration of the period of six months prescribed by the act last mentioned.

*See ante, ch. 21.

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the Territories of Orleans and Louisiana shall be, and forever remain, public highways.

All navigable rivers, etc. in the Territories of Orleans and Louisiana, forever to remain public highways.

SEC. 13. *And be it further enacted*, That a sum not exceeding forty thousand dollars, be and the same is hereby, appropriated, for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated moneys in the Treasury.

Not exceeding \$40,000 appropriated for carrying this act into effect.

SEC. 14. *And be it further enacted*, That the act entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the Territories of Orleans and Louisiana,"† approved February the sixteenth,‡ eighteen hundred and eleven, be, and the same is hereby, repealed.

The act providing for the final adjustment of claims to lands, etc. in the Territories of Orleans and Louisiana, of 16th February, 1811, repealed. †Ante, chap. 112. ‡18th.

Approved, March 3, 1811.

[See Part II, Nos. 10, 19, 64, 261, 278, 296, 421, 521, 567, 606, 670, 671, 672, 673, 674, 676, 704, 714, 722, 774, 780, 786, 787, 788, 797, 812, 814, 822, 825, 826, 827, 828, 829, 831, 836, 837, 839, 840, 842, 843, 844, 846, 848, 849, 851, 852, 853, 854, 855, 858, 859, 860, 861, 863, 866, 869, 874, 877, 879, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 893, 898, 903, 904, 913, 914, 915, 918, 921, 923, 929, 933, 940, 945, 946, 949, 952, 953, 954, 955, 958, 970, 1,018.]

CHAP. 117.—An act extending the time for opening the several land offices established in the Territory of Orleans.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the sixth section of an act entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven,"§ as directs that the several land offices established in the Territory of Orleans shall be opened on the first day of January, and on the first day of February, one thousand eight hundred and twelve, be, and the same is hereby, repealed.

So much of the 6th section of the act mentioned as directs the several land offices in the Territory of Orleans to be opened on the 1st January and 1st February, 1812, repealed. §Ante, chap. 116.

SEC. 2. *And be it further enacted*, That the said land offices shall, respectively, be opened on such day or days as the President of the United States shall, by proclamation, designate for that purpose; and the public land shall, in every other respect, be offered for sale at the said offices in the same manner as is directed by the aforesaid act.||

The land offices referred to, to be opened on such day as the President may designate by proclamation etc.

||See ante, chapter 116.

Approved, December 12, 1811.

[See Part II, No. 64.]

CHAP. 118.—An act allowing further time for completing the payments on certain lands, held by right of pre-emption, in the Mississippi Territory.*

*See ante, sec. 8, chap. 93; and sec. 3, chap. 95.

Purchasers of public lands by right of pre-emption, in the Mississippi Territory, who have paid their first instalment, etc. allowed until 1st Jan. 1813, to complete the payments, etc.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the purchasers of public lands, by right of pre-emption, in the Mississippi Territory, who have made payment of their first instalment of the purchase-money, be allowed until the first day of January, one thousand eight hundred and thirteen, to complete the payments on their lands, respectively, any law to the contrary notwithstanding.
Approved, December 12, 1811.

[See Part II, Nos. 13, 15, 42, 56, 57, 58, 60, 64, 72, 77, 93.]

CHAP. 119.—An act for completing the existing military establishment.

†Irrelevant.

SEC. 1.†

SEC. 2. *And be it further enacted,* That there be allowed and paid to each effective, able-bodied man, recruited or reenlisted for that service, for the term of five years, unless sooner discharged, the sum of sixteen dollars; but the payment of one half of the said bounty shall be deferred until he shall be mustered and have joined the corps in which he is to serve; and whenever any non-commissioned officer or soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall, moreover, be allowed and paid, in addition to the aforesaid bounty, three months' pay, and one hundred and sixty acres of land; and the heirs and representatives of those non-commissioned officers or soldiers who may be killed in action, or die in the service of the United States, shall, likewise, be paid and allowed the said additional bounty of three months' pay, and one hundred and sixty acres of land, to be designated, surveyed, and laid off, at the public expense, in such manner and upon such terms and conditions as may be provided by law.‡

‡See act of 6th May, 1812, chap. 135, post.

Approved, December 24, 1811.

CHAP. 120.—An act to raise an additional military force.

§The other sections irrelevant.
§16 bounty to each recruit.

The payment of §8 of the bounty to be deferred, until, etc.

SEC. 12.§ *And be it further enacted,* That there shall be allowed and paid to each effective, able-bodied man, recruited as aforesaid, to serve for the term of five years, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States, for service. And whenever any non-commissioned officer or

soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall, moreover, be allowed and paid, in addition to the said bounty, three months' pay, and one hundred and sixty acres of land; and the heirs and representatives of those non-commissioned officers or soldiers who may be killed in action, or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three months' pay, and one hundred and sixty acres of land; to be designated, surveyed, and laid off, at the public expense, in such manner and upon such terms and conditions as may be provided by law.

When any non-commissioned officer or soldier is discharged, and has obtained a certificate from the commanding officer that he had performed his duty, he is to be allowed, in addition, 3 months' pay and 160 acres of land; and, in case of his being killed or dying, &c. the heirs and representatives are to receive the additional bounty, to be designated, surveyed, &c., at the public expense.

Approved, January 11, 1812.

CHAP. 121.—An act directing the terms on which lands sold at public sale, and that revert for failure in payment, shall again be sold.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no tract or tracts of the reserved sections or other public lands of the United States, that have been or may hereafter be sold at public sale, and which may have, or shall, on account of failure to complete the payment of the purchase-money, revert to the United States, shall hereafter be sold, at private sale, at a price less than that for which the same tract was sold at public sale.

No tract of public lands, sold at public sale, and reverting to the United States on account of failure to complete the payment, to be hereafter sold at private sale for a less price than that for which it was sold at public sale.

Approved, January 14, 1812.

[See Part II, No. 13.]

CHAP. 122.—An act authorizing the President of the United States to accept and organize certain volunteer military corps.

SEC. 1.*

SEC. 6. *And be it further enacted,* That the heirs and representatives of any non-commissioned officer or soldier, who may be killed in action, or die in the actual service of the United States, shall be entitled to receive one hundred and sixty acres of land, to be designated, surveyed, and laid off, at the public expense, in such manner and upon such terms and conditions as may be provided by law.

*Sections 1, 2, 3, 4, 5, 7, and 8, irrelevant.

The heirs, &c. of any non-commissioned officer or soldier, killed in action, &c., entitled to 160 acres of land, to be designated, surveyed, &c., at the public expense, &c.

Approved, February 6, 1812.

[See Part II, No. 97.]

CHAP. 123.—An act for the revision of former confirmations, and for confirming certain claims to land, in the district of Kaskaskia.*

*See act of 16th of April, 1814, chap. 168.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the register and receiver of public moneys of the land office at Kaskaskia, and such other person as the President of the United States shall appoint for that purpose, be, and they are hereby, authorized to examine and inquire into the validity of claims to land in the district of Kaskaskia, which are derived from confirmations made, or pretended to have been made, by the Governors of the Northwest and Indiana Territory, respectively. They shall employ a clerk, and shall, in relation to the claims aforesaid, have, in every respect, the same powers which had been vested in the commissioners appointed to ascertain the claims to land in the said district. And they shall report to the Secretary of the Treasury, to be by him laid before Congress, at their next session, their opinion on each of the claims aforesaid.

The register and receiver of the land office at Kaskaskia, and such other person as the President may appoint, authorized to inquire into the validity of claims to land in the district of Kaskaskia, derived from confirmations made by the Governors of the Northwest and Indiana Territories, etc., and to employ a clerk, etc., report their opinion, etc.

The commissioners and clerk appointed by this act, etc., to receive \$500 each, in full, etc.

The compensation, etc. to be paid out of the moneys appropriated for surveying the public lands.

SEC. 2. *And be it further enacted,* That the commissioners and clerk appointed by this act, and such agent as may be appointed on behalf of the United States by the Secretary of the Treasury, shall each receive five hundred dollars, in full for the services performed by them under this act; which compensation, and also the contingent charges for office rent, fuel, stationery, and summoning witnesses on the part of the United States, shall be paid out of the moneys appropriated by law for surveying the public lands of the United States.

The decisions made by the commissioners for examining claims to lands in the district of Kaskaskia, in favor, etc., as entered in the transcripts, etc. of 31st Dec. 1809, etc., confirmed, etc.

SEC. 3. *And be it further enacted,* That the decisions made by the commissioners, heretofore appointed for the purpose of examining the claims of persons to lands in the district of Kaskaskia, in favor of such claimants, to town or village lots, out-lots, or rights in common, to commons and common fields, as entered in the transcripts of decisions, bearing date the thirty-first day of December, one thousand eight hundred and nine, which have been transmitted by the said commissioners to the Secretary of the Treasury, according to law, be confirmed to all such rightful claimants, according to their respective rights thereto: *Provided,* That nothing herein contained shall be construed to confirm any particular decision heretofore made in favor of any individual, or to affect the right of any other individual claiming the same land, but such conflicting claims shall be decided, according to law, by the proper tribunal.

Provided; nothing herein to confirm any particular decision heretofore made in favor of any individual, or to affect the right of any other claimant, etc.

Approved, February 20, 1812.

CHAP. 124.—An act authorizing the Secretary of the Treasury to locate the lands reserved for the use of Jefferson College, in the Mississippi Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is

hereby, authorized and empowered to locate, in one body, the thirty-six sections of land reserved for the use of Jefferson College, in the Mississippi Territory, by an act entitled "An act regulating the grants of land, and providing for the sale of the lands of the United States, south of the State of Tennessee,"* passed on the third day of March, one thousand eight hundred and three, on any lands within the said Territory, not sold or otherwise disposed of, and to which the Indian title has been extinguished.

Approved, February 20, 1812.

The Secretary of the Treasury empowered to locate, in one body, the 36 sections of land reserved for the use of Jefferson College, in the Mississippi Territory, on any lands not sold, etc.

*See chap. 62.

CHAP. 125.—An act to establish a land district in the Illinois Territory, east of the district of Kaskaskia, and to attach certain public lands to the district of Jeffersonville.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the public lands of the United States, heretofore included within the land district of Kaskaskia, as lies east of the third principal meridian established by the surveyor general, shall, together with the public lands lying between the Vincennes and Kaskaskia districts, and not heretofore attached to any district, form a new land district. For the disposal of the said lands, a land office shall be established at Shawneetown, under the direction of a register of the land office and receiver of public moneys, to be appointed for that purpose; who shall reside at the place, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed [of] at their office, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio.

A new land district formed of part of the public lands included within the land district of Kaskaskia, etc., and the public lands lying between the Vincennes and Kaskaskia districts, etc.

A land office to be established at Shawneetown, for which a register, etc. are to be appointed.

The register and receiver to reside at Shawneetown, give security, etc. the same as registers and receivers in the land offices northwest of the Ohio.

SEC. 2. *And be it further enacted,* That the said lands shall be disposed of in the same manner, and on the same terms and conditions, as are or may be provided by law for the sale of public lands in the district of Kaskaskia: *Provided,* That no tracts of land excepted from the sales by virtue of any former act shall be sold by virtue of this act: *And provided, also,* That a tract of not less than six miles square shall be reserved by the President of the United States for the use and support of the public salt works on Saline creek.

The lands to be disposed of, etc. as in the district of Kaskaskia.

Proviso; no tract excepted by former act to be sold by virtue of this act.

Proviso; the President to reserve six miles for the salt works on Saline creek.

SEC. 3. *And be it further enacted,* That so much of the lands attached to the district of Vincennes, by virtue of the first section of an act entitled "An act providing for the sale of certain lands in the Indiana Territory, and for other purposes,"† passed on the thirtieth day of April, one thousand eight hundred and ten, as lies east of the second prin-

So much of the lands attached to the district of Vincennes, etc. to be attached to the district of Jeffersonville, and be offered at public sale there, etc.

†Ante, chap. 109.

cial meridian established by the surveyor general, shall be attached to and become a part of the district of Jeffersonville, and shall be offered at public sale at the land office for the said district, under the superintendence of the register and receiver of public moneys for the said land office, and shall be sold in every other respect in the same manner and on the same terms and conditions as are provided by the above-mentioned act, except that the public sales for the said lands shall remain open only for six days.

The public sales to remain open only six days.

Approved, February 21, 1812.

[See Part II, No. 64.]

CHAP. 126.—An act giving further time for registering claims to land in the western district of the Territory of Orleans.*

*See act of 27th February, 1813, ch. 151, post.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person or persons claiming lands in the western district of the Territory of Orleans, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the said district, shall be allowed until the first day of November next to deliver notices in writing, and the written evidences of their claims, to the register of the land office at Opelousas; and the notices and evidences, so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States. †

Persons claiming lands in the western district of Orleans, being actual settlers, whose claims have not been filed, etc., allowed until the 1st November, 1812, to deliver notices, etc. to the register at Opelousas.

The notices and evidences, etc. to be recorded as if delivered before the 1st July, 1808.

The rights of persons neglecting to deliver notices, etc. to become void, so far, etc.

†See ante, sec. 5, chap. 91.

The register and receiver at Opelousas to have the same powers and to perform the same duties, etc. as if notice had been given before the 1st July, 1808, except, etc.

The register and receiver to report to the Secretary of the Treasury the claims filed, with the substance of the evidence, and their opinion, etc.

The report, with a list of the claims, etc. to be laid before Congress, etc.

SEC. 2. *And be it further enacted,* That the register and receiver of public moneys of the said land office at Opelousas shall have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of November next, as if notice of the same had been given before the first day of July, one thousand eight hundred and eight, except that their decisions shall be subject to the revision of Congress. And it shall be the duty of the said register and receiver to make, to the Secretary of the Treasury, a report of all the claims thus filed with the register of the land office, together with the substance of the evidence in support thereof, with their opinion, and such remarks thereon as they may think proper; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, shall be laid by the Sec-

retary of the Treasury before Congress, at their next session, for their determination thereon. The said register and receiver shall have power to appoint a clerk, whose duty shall be the same, in relation to the claims filed as aforesaid, as was required of the clerk to the board of commissioners for adjusting claims to land in the said district; and the said register, receiver, and clerk, shall each be allowed fifty cents for each claim filed according to this act, and on which a decision shall be made, whether such decision be in favor of or against the claim; which allowance of fifty cents shall be in full compensation for their services under this act.

The register and receiver empowered to appoint a clerk; his duties, etc.

The register, receiver, and clerk, each to be allowed 50 cents for each claim filed, etc. in full, etc.

Approved, March 10, 1812.

[See Part II, Nos. 19, 64.]

CHAP. 127.—An act granting to the corporation of the city of New Orleans the use and possession of a lot in the said city.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That all the right and claim of the United States to the use, possession, and occupancy, of a space of one hundred and fifty by one hundred and twenty-five feet of a vacant lot of ground, in the city of New Orleans, bounded by Bienville and Custom-house streets, and by Levee street and the high road, be, and the same is hereby, vested in the corporation of the said city. And the said corporation is authorized to use, possess, and occupy, the same, for the purpose of erecting, or causing to be erected and kept in operation, a steam engine, or engines, for conveying water into the said city, and all buildings necessary to the said purpose: *Provided*, That if the said space of ground shall not be occupied for the said purpose within the term of three years from and after the passing of this act, or shall, at any time thereafter, cease to be so occupied for the term of three years, the right and claim of the United States thereto shall remain unimpaired: *And provided, also*, That this act shall not affect the claim or claims of any individual or individuals, if any such there be.

The right of the United States to a space 150 by 125 feet of a vacant lot of ground in New Orleans, etc. vested in the corporation of that city.

The corporation authorized to use the space for erecting, etc. steam engines for conveying water into the city.

Proviso; if the space is not occupied within 3 years from the 3d April, 1812, or ceases to be occupied for three years, the right of the United States to remain unimpaired; and this act not to affect the claims of individuals, etc.

Approved, April 3, 1812.

CHAP. 128.—An act for the admission of the State of Louisiana into the Union, and to extend the laws of the United States to the said State.

Whereas the representatives of the people of all that part of the territory or country ceded, under the name of "Louisiana," by the treaty made at Paris on the thirtieth day of April, one thousand eight hundred and three, between the United States and France, contained within the following

The people of that part of Louisiana within the limits described, formed, on the 22d January, 1812, a constitution and State Government, which has been transmitted to Congress and by them approved.

limits, that is to say : beginning at the mouth of the river Sabine ; thence, by a line to be drawn along the middle of said river, including all islands, to the thirty-second degree of latitude ; thence, due north, to the northernmost part of the thirty-third degree of north latitude ; thence, along the said parallel of latitude, to the river Mississippi ; thence, down the said river, to the river Iberville ; and from thence, along the middle of the said river, and Lakes Maurepas and Ponchartrain, to the Gulf of Mexico ; thence, bounded by the said gulf, to the place of beginning ; including all islands within three leagues of the coast ;* did, on the twenty-second day of January, one thousand eight hundred and twelve, form for themselves a constitution and State Government, and give to the said State the name of the State of Louisiana, in pursuance of an act of Congress entitled "An act to enable the people of the Territory of Orleans to form a constitution and State Government, and for the admission of the said State into the Union, on an equal footing with the original States, and for other purposes :"[†] and the said constitution having been transmitted to Congress, and by them being hereby approved, therefore,

*Limits enlarged.
See act of April
14, 1812.

†Ante, chap. 113.

The State of Louisiana declared to be one of the United States of America, etc.

Proviso; it is a condition upon which the State of Louisiana is incorporated into the Union, that the river Mississippi, etc. shall be common highways, and forever free, etc., without any toll, etc.

†See ante, ch. 113.

Until the next general census, Louisiana entitled to one Representative in Congress, and all the laws of the United States, not locally inapplicable, extended, etc.

Louisiana, etc. to be one judicial district, etc.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the said State shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever, by the name and title of the State of Louisiana : *Provided,* That it shall be taken as a condition upon which the said State is incorporated in the Union, that the river Mississippi, and the navigable rivers and waters leading into the same, and into the Gulf of Mexico, shall be common highways, and forever free, as well to the inhabitants of the said State as to the inhabitants of other States, and the Territories of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State ; and that the above condition, and also all other the conditions and terms contained in the third section of the act the title whereof is hereinbefore recited,[†] shall be considered, deemed, and taken, fundamental conditions and terms, upon which the said State is incorporated in the Union.

SEC. 2. *And be it further enacted,* That, until the next general census and appointment of Representatives, the said State shall be entitled to one Representative in the House of Representatives of the United States ; and that all the laws of the United States, not locally inapplicable, shall be extended to the said State, and shall have the same force and effect within the same as elsewhere within the United States.

SEC. 3. *And be it further enacted,* That the said State, together with the residue of that portion of country which was comprehended within the Territory of Orleans, as constituted by the act entitled "An act erecting Louisiana into

two Territories, and providing for the temporary government thereof,"* shall be one district, and be called the Louisiana district; and there shall be established in the said district a district court, to consist of one judge, who shall reside therein, and be called the district judge; and there shall be, annually, four stated sessions of the said court held at the city of Orleans: the first to commence on the third Monday in July next, and the three other sessions, progressively, on the third Monday of every third calendar month thereafter. The said judge shall, in all things, have and exercise the same jurisdiction and powers which, by the act the title whereof is in this section recited,† were given to the district judge of the Territory of Orleans; and he shall be allowed an annual compensation of three thousand dollars, to be paid quarter yearly, at the Treasury of the United States. The said judge shall appoint a clerk of the said court, who shall reside, and keep the records of the court, in the city of Orleans, and shall receive for the services performed by him the same fees heretofore allowed to the clerk of the Orleans Territory.‡(1)

*Chap. 70.

A district court, to consist of a resident judge, etc.

Four stated sessions of the court annually, at Orleans, as specified.

The judge to exercise the same jurisdiction, etc. as given by the act mentioned to the district judge of the Territory of Orleans, and allowed \$3,000 per annum.

†See chap. 70.

The judge to appoint a clerk, to reside, etc. in Orleans, etc.

‡See sec. 8, ch. 70.

A district attorney to be appointed, to be paid \$600 annually in addition to stated fees.

A marshal to be appointed, etc., to be paid \$200 annually, besides the usual fees.

SEC. 4. *And be it further enacted*, That there shall be appointed, in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid six hundred dollars annually, as a full compensation for all extra services. There shall also be appointed a marshal for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees to which marshals in other districts are entitled for similar services; and shall, moreover, be paid two hundred dollars annually, as a compensation for all extra services.

SEC. 5. *And be it further enacted*, That nothing in this act shall be construed to repeal the fourth section of an act entitled "An act for laying and collecting duties on imports and tonnage within the territories ceded to the United States by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French republic, and for other purposes;" and that the collection district shall be and remain as thereby established.

Nothing in this act to repeal the 4th sec. of the act for laying and collecting duties on imports and tonnage within the territories ceded, etc.

SEC. 6. *And be it further enacted*, That this act shall commence and be in force from and after the thirtieth day of April, eighteen hundred and twelve.

This act to be in force from the 30th April, 1812.

Approved, April 8, 1812.

(1) See Part II, No. 29.

CHAP. 129.—An act for the relief of the officers and soldiers who served in the late campaign on the Wabash.

SEC. 5. § *And be it further enacted*, That, to the heirs or legal representatives of every person who was killed, and

§The first four sections of this act is relevant.

The heirs of persons killed, and persons wounded, in the campaign of the Wabash, and who were purchasers of public lands, etc. allowed a further time of 3 years to complete their payments, etc.

to every person who was wounded, in the said campaign, who were purchasers of public lands of the United States, and whose lands had not, before the seventh of November, one thousand eight hundred and eleven, been actually sold or reverted to the United States, for the non-payment of part of the purchase-money, a further time of three years shall be allowed, in addition to the time allowed by former laws, to complete their payments; which further time of three years shall commence from the respective times when their payments should have been completed according to former laws.

Approved, April 10, 1812.

CHAP. 130.—An act giving further time for registering claims to land in the eastern district of the Territory of Orleans.*

*See act of 27th Feb. 1813, chap. 151.

Persons claiming lands in the eastern district of Orleans, being actual settlers, and whose claims have not been filed, etc. allowed until the 1st November, 1812, to deliver notices, etc.

Notices, etc. delivered within the time limited by this act, to be recorded, etc.

The rights of persons neglecting to deliver notice, etc. to be barred, etc.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person or persons claiming lands in the eastern district of the Territory of Orleans, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the said district, shall be allowed until the first day of November next to deliver notices in writing, and the written evidences of their claims, to the register of the land office at New Orleans; and the notices and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.†

†See ante, sec. 5, chap. 91.

The register and receiver at New Orleans to have the same powers, etc. in relation to the claims filed, etc. as if notice had been given before the 1st July, 1806, except, etc.

The register and receiver to report to the Secretary of the Treasury all the claims filed, etc.

The Secretary of the Treasury to lay the report, etc. before Congress, etc.

SEC. 2. *And be it further enacted,* That the register and receiver of public moneys of the said land office at New Orleans shall have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of November next, as if notice of the same had been given before the first day of July, one thousand eight hundred and eight, except that their decision shall be subject to the revision of Congress. And it shall be the duty of the said register and receiver to make to the Secretary of the Treasury a report of all the claims thus filed with the register of the land office, together with the substance of the evidence in support thereof, with their opinion and such remarks thereon as they may think proper; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, shall be laid, by the Secretary of the Treasury, before Congress, at their next

session, for their determination thereon. The said register and receiver shall have power to appoint a clerk, whose duties shall be the same, in relation to the claims filed as aforesaid, as was required of the clerk to the board of commissioners for adjusting claims to lands in the said district; and the said register, receiver, and clerk, shall each be allowed fifty cents for each claim filed according to this act, and on which a decision shall be made, whether such decision be in favor of or against the claim; which allowance of fifty cents shall be in full compensation for their services under this act.

The register and receiver empowered to appoint a clerk; his duties, etc.

The register, receiver, and clerk, each, to be allowed 50 cents for each claim filed, etc., in full, etc.

Approved, April 14, 1812.

[See Part II, No. 19.]

CHAP. 131.—An act to authorize the Secretary for the Department of War to exchange lands with the Ursuline Nuns of the city of New Orleans.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary for the Department of War be, and he is hereby, authorized and empowered to exchange the lot of ground, situated in the city of New Orleans, on which the military hospital of the United States stands, with the Ursuline Nuns of said city, whose convent adjoins, or is near the same, for such other lot or lots of ground, in said city of New Orleans or its vicinity, owned by the said Nuns, as, in the opinion of said Secretary, shall be conveniently situated for a military hospital, and of equal value with the said lot on which the said hospital now stands, including the value of said hospital.

The Secretary of War empowered to exchange the lot in New Orleans on which the military hospital stands, with the Ursuline Nuns, for another lot, conveniently situated for a military hospital, of equal value, etc.

SEC. 2. *And be it further enacted,* That, in case of such exchange, the Secretary for the Department of War is hereby authorized and empowered to make, execute, and deliver, in behalf of the United States, to the said Ursuline Nuns, or to such person or persons as they may designate, a deed, or other instrument in writing, therein and thereby conveying to them all the right and title of the United States, in and to the said lot of ground aforesaid, reserving, however, to the United States, the use of said hospital for such time as he shall judge necessary; and the Secretary for the Department of War is hereby also authorized to take and receive from the said Ursuline Nuns, or from such person or persons as may be authorized in their behalf for that purpose, a deed or deeds, or other instrument in writing, conveying to the United States a good and sufficient title to the lot or lots of ground which he may agree to take in exchange; and which deed or deeds, or other instrument in writing, shall contain the necessary covenants to secure to the United States in case of any failure of title thereto.

The Secretary of War authorized to make and receive deeds, etc. reserving the use of the hospital for such time as he may deem necessary.

Approved, April 23, 1812.

[See Part II, No. 9.]

CHAP. 132.—An act to authorize the granting of patents for land, according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Patents to be granted to persons whose claims to land have been confirmed in the district of Detroit, etc. although the surveys do not correspond with the description, etc.

That patents shall be granted to the persons whose claims to land have been confirmed in the district of Detroit, in conformity to the surveys which have been made under the direction of the surveyor general, and the general plat of which has been returned to the Secretary of the Treasury, notwithstanding the surveys shall not, in every respect, correspond with the description of the tracts as confirmed by the commissioners for adjusting land claims in the said district: *Provided*, That the confirmation of the commissioners and certificate of the registers shall, in every other respect, be conformable to law.

Proviso; the confirmation, etc. to be, in every other respect, conformable, etc.

Persons whose claims have been confirmed, etc. to a tract of land bordering on the Detroit, and whose tract does not extend, etc., to be entitled to a donation of vacant adjacent land, etc., not exceeding 40 arpens in depth, etc.

SEC. 2. *And be it further enacted,* That every person whose claim has been confirmed, by the commissioners aforesaid, to a tract of land bordering on the river Detroit, and whose tract, as confirmed, does not extend in depth eighty arpens, French measure, shall be entitled to a donation of any vacant tract of land adjacent to and back of the land confirmed to him as aforesaid: *Provided*, That such donation shall not exceed forty arpens, French measure, in depth, nor in quantity of land that contained in the tract already confirmed to him, nor shall, in any case, the tract confirmed as aforesaid, and that allowed as a donation, together, exceed eighty arpens, French measure, in depth; and in all cases where, by reason of bends in the said river, and of adjacent prior claims, each claimant cannot obtain a tract equal in quantity to the tract already confirmed to him, the vacant land applicable to the object shall be divided between the claimants in such manner as shall appear to the commissioners for adjusting the claims most equitable. And every person claiming a donation in virtue of this section shall, on or before the first day of December next, deliver to the register of the land office at Detroit a notice, in writing, of the situation and extent of his claim, which he shall file in his office on receiving twenty-five cents, from the party or parties, for each claim; and if such person shall neglect to deliver such notice within the time limited, his right to a donation, under this section, shall become void. And the commissioners for adjusting claims to land in the said district shall, as soon as may be after the first of December next, proceed to examine and decide, according to the provisions of this section, on the claims filed as aforesaid; and when it shall appear to the said commissioners that the claimant is entitled to a donation of land, they shall give a certificate, stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land by virtue of this section, which tract shall be surveyed in conformity with the decision of the commissioners, at the ex-

Where, from the bends in the river, etc., each claimant cannot obtain a tract equal in quantity, etc., the vacant land applicable, etc. to be divided between the claimants, etc.

Persons claiming a donation in virtue of this section, to deliver a written notice to the register on or before the 1st Dec. 1812, etc., or their rights become void.

The commissioners for adjusting claims, etc. to examine and decide, etc., give a certificate, etc.

pense of the party, under the direction of the surveyor general, by such of his assistants residing in the said district as the said surveyor general shall appoint for that purpose. The expense of surveying shall be the same, and the plats of surveys and transcript of the decisions of the commissioners in favor of claimants shall be made and transmitted to the Secretary of the Treasury in the same manner, and the certificates granted by the commissioners shall be entered with the register of the land office, and certificates of the register be granted to the party or parties on payment of the same fees, and patents granted, in every respect, in the same manner as is directed by the third section of an act entitled "An act regulating the grants of land in the Territory of Michigan,"* passed the third day of March, one thousand eight hundred and seven.

The expense of surveying, etc. the same as directed by the 3d section of the act regulating the grants of land in the Territory of Michigan.

*Ante, chap. 80.

SEC. 3.†

Approved, April 23, 1812.

†Private.

CHAP. 133.—An act making provision for certain persons claiming lands under the several acts for the relief of the refugees from the British provinces of Canada and Nova Scotia.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following persons, claiming lands under the act entitled "An act to revive and continue in force an act entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia,' "† passed on the sixteenth day of March, one thousand eight hundred and four, shall, respectively, be entitled to the following quantities of land, that is to say: Charlotte Hazen, widow of Moses Hazen; Chloe Shannon, wife of James Noble Shannon, and relict of Obadiah Ayer, deceased; the heirs of Elijah Ayer and the heirs of Israel Ruland, respectively, nine hundred and sixty acres; Elijah Ayer, jun., and the heirs of Anthony Burk, respectively, three hundred and twenty acres. And that the following persons, claiming lands under the act entitled "An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes,"§ passed on the twenty-fourth day of February, one thousand eight hundred and ten, shall, respectively, be entitled to the following quantities of land, that is to say: The heirs of James Boyd, two thousand two hundred and forty acres; the heirs of Nathaniel Reynolds, the heirs of Edward Antill and Joshua Sprague, respectively, nine hundred and sixty acres; Robert Sharp, John Fulton, and John Morrison, each six hundred and forty acres; James Sprague, David Dickey, John Taylor, and the heirs of Gilberts Seamans, deceased, respectively, three hundred and twenty acres; which several tracts of land shall be located within the boundaries of the fractional townships reserved and set apart for the purpose of satisfying the claims of the refugees

The names of persons to whom the quantities of land specified are assigned, under the acts for the relief of the refugees from Canada and Nova Scotia, etc.

†Chapter 66.

§Ante, chap. 107.

The tracts to be located within the boundaries of the fractional townships reserved, etc.

The locations to be made, and patents granted, as prescribed by former laws, except, etc.

from Canada and Nova Scotia; and the locations shall be made, and patents granted, in the manner and on the conditions prescribed by former laws, except as to the time for making the locations; which locations shall be made on the day or days that the Secretary of the Treasury shall judge most convenient for the claimants, and shall designate for the purpose.

Approved, April 23, 1812.

CHAP. 134.—An act giving further time to the purchasers of public lands northwest of the river Ohio, to complete their payments.*

*See chap. 146.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person who, prior to the first day of April, one thousand eight hundred and eight, had purchased any tract or tracts of land of the United States, not exceeding, in the whole, six hundred and forty acres, at any of the land offices established for the disposal of the public lands northwest of the river Ohio, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase-money, shall be allowed the further term of three years from the first day of January, one thousand eight hundred and thirteen, for the payment of the residue of the principal and interest due on account of such purchase, to be paid in four equal annual payments, the first whereof to be on the said first day of January, one thousand eight hundred and thirteen: and in case of failure in paying any of the said annual payments, at the time when the same shall become due, the tract of land shall be forthwith advertised and offered for sale, in the manner and on the terms and conditions heretofore prescribed for the sale of lands purchased of the United States, and not paid for within the limited time.

Approved, April 23, 1812.

[See Part II, Nos. 13, 217.]

CHAP. 135.—An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans.†

†See act of April 18, 1814, chap. 166.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of ascertaining the titles and claims to lands in that tract of country which lies south of the Mississippi Territory, east of the river Mississippi and island of New Orleans, and west of the river Perdido and a line drawn with the general course thereof to the southern boundary of the said Mississippi Territory, the lands within the

Two land districts to be laid off, and Pearl river to form the boundary between them, etc.

said limits shall be laid off into two land districts, between which Pearl river shall be the boundary; and for each of which districts a commissioner for land claims shall be appointed by the President of the United States, with the advice and consent of the Senate. The said commissioners shall, respectively, have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall, in addition to the other duties required of him by this act, perform the duties of translator, when required by the commissioner. And the said commissioners and clerk shall, before entering on the duties of their appointments, respectively, take an oath or affirmation, *truly and faithfully to execute the duties imposed on them by this act.*

A commissioner for each district to be appointed by the President and Senate.

The commissioners empowered to appoint clerks, capable of translating, &c.

The commissioners and clerks to take an oath, &c.

SEC. 2. *And be it further enacted*, That, for the more convenient ascertainment of the titles and claims to lands as aforesaid, it shall be the duty of each of the said commissioners, respectively, and their clerks, to attend in each of the several parishes in his district, at such time and place therein as he shall appoint, for the purpose of receiving notices and evidences of titles and claims to lands within the same; and when the commissioners shall have appointed the time and place for his attendance in any parish, he shall cause public notice thereof to be given to the inhabitants of the same, for at least twenty days previous to the time of his commencing the business of his appointment therein.

The commissioners and clerks to attend in the parishes, &c.

Twenty days' notice to be given of the time and place, &c.

SEC. 3. *And be it further enacted*, That each commissioner, after he shall have attended for a reasonable and sufficient length of time in each parish of his district, for the claimants of lands within the same to have delivered the notices and evidences of their claims, shall establish his office at such place in his district as he shall judge most convenient, and of which he shall give public notice; and every person claiming lands within his district, who shall have neglected, or by any circumstance have been prevented from delivering a notice and evidence of his claims, during the time the commissioner attended in the parish in which the lands he may claim are situate, shall be at liberty, at any time before the end of six months from and after such office shall have been established, to deliver a notice and the evidence of his claims; and it shall have the same effect as if delivered in the parish wherein the lands claimed are situated.

Each commissioner to keep an office, &c.

Six months after the establishment of the offices allowed to deliver notice and evidence of claims, &c.

SEC. 4. *And be it further enacted*, That every person claiming lands in the tract of country aforesaid, by virtue of any grant, order of survey, or other evidence of claim whatsoever, derived from the French, British, or Spanish Governments, shall deliver to the commissioner for land claims, when attending for the purpose in the parish in which the lands claimed may lie, a notice, in writing, stating the nature and extent of his claims, together with a plat (in case a survey shall have been made) of the tract or tracts claimed; and shall deliver to the commissioner, when attending as afore-

Persons claiming by virtue of any French, British, or Spanish grants, &c., to deliver written notice to the commissioner &c.

Grants, &c. to be delivered to the commissioner, for recording, &c. said, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim, and the same shall be recorded by the clerk, in books to be kept for that purpose, on his receiving from the party or parties at the rate of twelve and an half cents for every hundred words contained in such written evidence of their claim: *Provided, however,* That where lands are claimed by virtue of a complete French, British, or Spanish grant, it shall not be necessary for the claimant to have any other evidence of his claim entered at large on the record, except the original grant or patent, together with the order of survey, and the plat; all the other conveyances or deeds may be abbreviated in the entry; but the chain of title, and the date of every transfer, shall appear on the record. And if such person shall neglect to deliver such notice, in writing, of his claim, together with the plat (in case the lands claimed shall have been surveyed) as aforesaid, or cause to be recorded such written evidence of the same within the time and times as aforesaid, his claim shall never after be recognised or confirmed by the United States; nor shall any grant, order of survey, deed, conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence, in any court of the United States, against any grant which may hereafter be derived from the United States.*

Proviso: where lands are claimed by virtue of complete French, British, or Spanish grants, not necessary to have any other evidence entered at large on the record, except the original grant, &c.

Persons neglecting to deliver written notices, etc., their claims never after to be recognised, etc.

* See chap. 165, post.

The commissioners empowered to inquire into the justice and validity of the claims filed, etc.

The evidence adduced, etc. to be entered by the clerk, etc.

The powers of the surveyors south of Tennessee, to extend over all the public lands in the tract mentioned.

The commissioners, etc. to prepare, etc. abstracts from the records of claims filed, etc., report them to the Secretary of the Treasury, who is to lay them before Congress, etc.

SEC. 5. *And be it further enacted,* That the said commissioners shall have power, in their respective districts, to inquire into the justice and validity of the claims filed with them as aforesaid. It shall be their duty to ascertain, in every case, whether the lands claimed have been inhabited and cultivated; at what time such inhabitation and cultivation commenced; when surveyed, and by whom and what authority; and into every other matter respecting the claims which may affect the justice and validity thereof; and for that purpose shall have power to administer oaths, and to compel the attendance of, and examine, witnesses, and such other testimony as may be adduced; to have access to all records of a public nature, relative to the granting, sale, transfer, or titles, of lands within their respective districts, and to take transcripts from such record or records, or any part thereof; and the evidence thus adduced and obtained shall, by the clerk, be entered in a book to be kept for that purpose.

SEC. 6. *And be it further enacted,* That the powers vested by law in the surveyor of the lands of the United States south of the State of Tennessee shall extend over all the public lands in the said tract of country.

SEC. 7. *And be it further enacted,* That the said commissioners shall, respectively, under such instructions as the Secretary of the Treasury may, with the approbation of the President of the United States, transmit to them in relation thereto, prepare, and cause to be prepared, abstracts from the

records of the claims filed as aforesaid, in which the claims shall be arranged into classes, according to their respective merits, and other circumstances whereby they may be diversified; the abstracts shall contain the substance of the evidence adduced in support of, or obtained respecting, the claims, and shall contain such other information and remarks as may be necessary to a proper decision thereon; which abstracts the commissioners shall, respectively, as soon as may be, report to the Secretary of the Treasury, and shall, by him, be laid before Congress, at the next session thereafter, for their determination thereon.

SEC. 8. *And be it further enacted,* That the said commissioners be, and they are hereby, authorized and required to collect and report to Congress, at their next session, a list of all the actual settlers on land in said districts, respectively, who have no claims to land derived either from the French, British, or Spanish Governments, and the time at which such settlements were made.

The commissioners required to collect and report to Congress, etc. a list of actual settlers, who have no claims derived from the British, French, or Spanish Governments, etc.

SEC. 9. *And be it further enacted,* That each of the said commissioners shall be allowed, as compensation for his services in relation to the said claims, at the rate of fifteen hundred dollars a year; and each of the clerks at the rate of one thousand dollars a year: *Provided,* That not more than eighteen months' compensation be thus allowed to the commissioner and clerk for the district east of Pearl river, nor more than two years' compensation be allowed to the commissioner and clerk for the district west of Pearl river; and the commissioner for the eastern district, on making his report to the Secretary of the Treasury, as aforesaid, shall be entitled to receive, in addition, seven hundred and fifty dollars, and his clerk five hundred dollars; and the commissioner for the western district, on making his report aforesaid, shall receive one thousand dollars, and his clerk seven hundred and fifty dollars; and the said allowances shall be in full for their services under this act.

Each commissioner allowed at the rate of 1,500 dollars a year; each clerk at the rate of 1,000 dollars.

Provido; not more than 18 months' compensation to the commissioner and clerk east of Pearl river, nor more than two years', etc. to the commissioner and clerk west, etc.

Additional allowance, in full, etc. on making report to the Secretary of the Treasury.

Approved, April 25, 1812.

[See Part II, Nos. 19, 29, 296, 657, 659, 670, 671, 672, 673, 674, 676, 697, 699, 700, 702, 706, 707, 714, 812, 814, 819, 822, 824, 825, 826, 827, 829, 831, 839, 840, 843, 844, 846, 848, 849, 852, 853, 854, 858, 859, 860, 861, 862, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 913, 914, 915, 918, 921, 923, 929, 940, 949, 952, 953, 954, 955.]

CHAP. 136.—An act for the establishment of a General Land Office in the Department of the Treasury.*

*See chapter 503.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be established in the Department of the Treasury an office, to be denominated the General Land Office; the chief officer of which shall be called the

A General Land Office to be established in the Treasury Department, etc.

Duties of the Commissioner, etc.

Commissioner of the General Land Office, whose duty it shall be, under the direction of the head of the Department, to superintend, execute, and perform, all such acts and things, touching or respecting the public lands of the United States, and other lands patented or granted by the United States, as have heretofore been directed by law to be done or performed in the office of the Secretary of State, of the Secretary and Register of the Treasury, and of the Secretary of War, or which shall hereafter by law be assigned to the said office.

Chief clerk to be appointed: his duties, etc.

SEC. 2. *And be it further enacted*, That there shall be in the said office an inferior officer, to be appointed by the said principal officer, to be employed therein as he shall deem proper, and to be called the chief clerk of the General Land Office, who, in all cases, when the said principal office shall become vacant, during such vacancy, shall have the charge and custody of the seal, and of all records, books, and papers, belonging to the said office.

Oath of office to be taken by all persons employed, etc.

SEC. 3. *And be it further enacted*, That the said principal officer, and every other person to be appointed and employed in the said office, shall, before he enters on the duties of his office or appointment, take an oath or affirmation, *truly and faithfully to execute the trust committed to him.*

The Commissioner to cause a seal to be provided, etc.

SEC. 4. *And be it further enacted*, That the said Commissioner shall cause a seal of office to be made and provided for the said office, with such device as the President of the United States shall approve; and copies of any records, books, or papers, belonging to the said office, under the signature of the said Commissioner, or, when the office shall be vacant, under the signature of the chief clerk; and the said seal shall be competent evidence in all cases in which the original records, books, or papers, could be evidence.

Copies of records, etc., under signature and seal, to be competent evidence, etc.

The Commissioner entitled to the custody of the seal, records, etc. remaining in the office of the Secretary of State, etc. concerning the public lands, etc.

SEC. 5. *And be it further enacted*, That the said Commissioner shall, forthwith, after his appointment, be entitled to the custody and shall take charge of the said seal, and also of all records, books, and papers, remaining in the offices of the Secretary of State, of the Secretary and Register of the Treasury, and of the Secretary of War, touching or concerning the public lands of the United States; and the said records, books, and papers, shall become, and be deemed, the records, books, and papers, of the said office.

The Commissioner, when required, etc., to make a plat of any land surveyed, and give information, etc.

SEC. 6. *And be it further enacted*, That the said Commissioner shall, when required by the President of the United States or either House of Congress, make a plat of any land surveyed under the authority of the United States, and give such information respecting the public lands, and concerning the business of his office, as shall be directed.

In cases where land is given for military services, warrants to be granted by the Secretary of War, to be recorded in the Land Office, etc.

SEC. 7. *And be it further enacted*, That in all cases in which land has heretofore or shall hereafter be given by the United States for military services, warrants shall be granted to the parties entitled to such land by the Secretary of War; and such warrants shall be recorded in the said Land Office,

in books to be kept for the purpose, and shall be located as is or may be provided by law; and patents shall afterwards be issued accordingly. (1)

SEC. 8. *And be it further enacted*, That all patents issuing from the said office shall be issued in the name of the United States, and under the seal of the said office, and be signed by the President of the United States, and countersigned by the Commissioner of the said office, and shall be recorded in the said office, in books to be kept for the purpose.

Patents to be issued in the name of the United States, under the seal of the Land Office, signed, etc.

SEC. 9. *And be it further enacted*, That all returns relative to the public lands, heretofore directed to be made to the Secretary of the Treasury, shall hereafter be made to the said Commissioner, who shall have power to audit and settle all public accounts relative to the public lands: *Provided*, That it shall be the duty of the said Commissioner, upon the settlement of any such account, to certify the balance, and transmit the account, with the vouchers and certificate, to the Comptroller of the Treasury, for his examination and decision thereon.

Returns relative to public lands to be made to the Commissioner, etc. who is to audit and settle accounts, etc.

Provido; the Commissioner to certify balances and transmit accounts, etc. to the Comptroller, etc.

SEC. 10. *And be it further enacted*, That no person appointed to an office instituted by this act, or employed in any such office, shall, directly or indirectly, be concerned in the purchase of any right, title, or interest, in any public land, either in his own right, or in trust for any other person, or in the name or right of any other person in trust for himself, nor shall take or receive any fee or emolument for negotiating or transacting the business of the office. And any person offending in the premises against the prohibitions of this act shall forfeit and pay one hundred dollars; and, upon conviction, shall be removed from office.

No person appointed to office under this act to be engaged, directly or indirectly, in the purchase of public lands, etc., under the penalty of \$100 and removal.

SEC. 11. *And be it further enacted*, That the Commissioner of the said Land Office shall be appointed by the President of the United States, by and with the advice and consent of the Senate; and shall receive an annual salary, equal to the salary of the Auditor of the Treasury, payable quarterly; and the sum of two thousand two hundred and fifty dollars is hereby appropriated for the said compensation during the year one thousand eight hundred and twelve, to be paid out of any moneys in the Treasury not otherwise appropriated: And the said Commissioner shall have the same privilege with the Comptroller of the Treasury, of sending and receiving letters and packages, and also final certificates and patents for land, free of postage.

The Commissioner to be appointed by the President and Senate.

His salary equal to that of the Auditor, etc.

The Commissioner to have the same privilege as the Comptroller, with respect to letters, etc. free of postage.

SEC. 12. *And be it further enacted*, That the Commissioner of the Land Office shall be authorized to employ a sufficient number of clerks: *Provided*, That their annual compensation shall not exceed, in the whole, seven thousand dollars; and the said compensation shall be paid in the following manner, during the year one thousand eight hundred and twelve, that is to say: Three thousand eight hundred

The Commissioner may employ clerks; their annual compensation not to exceed \$7,000, etc.

(1) See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.

dollars shall be paid, out of the moneys appropriated for the compensation of clerks, during said year, in the office of the Secretary of the Treasury; one thousand four hundred dollars shall be paid out of the moneys appropriated for the compensation of clerks, during said year, in the office of the Secretary of State; and three hundred dollars shall be paid out of the moneys appropriated for the compensation of clerks, during said year, in the office of the Secretary of War.

Approved, April 25, 1812.

[See Part II, Nos. 37, 66, 67, 71, 73, 387, 431, 455, 656, 701, 975.]

CHAP. 137.—An act granting to the Governor of the State of Louisiana for the time being, and his successors in office, a lot of ground, and the buildings thereon, in the city of New Orleans.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the right and claim of the United States to the use, possession, and occupancy, of a space of three hundred and thirty-six by two hundred and twenty feet, of a lot of ground in the city of New Orleans, bounded by Chartres and Levee streets, and by Thoulouse street and the lot of the widow Castillon, together with the house on the above-described lot, known by the name of the Government house, and the other buildings thereon, be, and the same are hereby, vested in and conveyed to the Governor of the State of Louisiana for the time being, and his successors in the same office, for the sole use and benefit of the said State of Louisiana, forever: *Provided, however*, That this act shall not affect the claim or claims of any individual or individuals, if any such there be.

Approved, April 29, 1812.

The right of the United States to a lot of ground, as described, and the Government house, &c. thereon, vested in the Governor of Louisiana, &c. for the use and benefit of the State.

Provido; this act not to affect the claims of individuals, &c.

CHAP. 138.—An act to provide for designating, surveying, and granting, the military bounty lands.*

*See chap's 168, 226, 308, 376.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be surveyed a quantity of the public lands of the United States, fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, not exceeding, in the whole, six millions of acres; two millions to be surveyed in the Territory of Michigan, two millions in the Illinois Territory, north of the Illinois river, and two millions in the Territory of Louisiana, between the river St. Francis and the river Arkansas; the said lands to be divided into townships, and subdivided

The President to cause to be surveyed not exceeding 6,000,000 of acres of public land, &c.

2,000,000 in each of the Territories of Michigan, Illinois, and Louisiana, (Missouri.)

into sections and quarter sections, (each quarter section to contain, as near as possible, one hundred and sixty acres,) in the manner prescribed by law for surveying and subdividing the other public lands of the United States, the same price to be allowed for surveying as is fixed for surveying the other public lands in the same Territory. And the lands thus surveyed, with the exception of the salt springs and lead mines therein, and of the quantities of land adjacent thereto, as may be reserved for the use of the same by the President of the United States, and the section number sixteen in every township, to be granted to the inhabitants of such township for the use of public schools, shall be set apart and reserved for the purpose of satisfying the bounties of one hundred and sixty acres, promised to the non-commissioned officers and soldiers, by the act entitled "An act for completing the existing military establishment,"* approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act entitled "An act to raise an additional military force,"† approved the eleventh day of January, one thousand eight hundred and twelve.‡

The lands to be divided into townships, and subdivided, &c.

The lands surveyed, with the exceptions mentioned, to be set apart for satisfying the bounties of 160 acres promised to non-commissioned officers and soldiers, &c. by the acts mentioned.

*Ante, chap. 119.

†Ante, chap. 120.

‡ See chap. 168.

SEC. 2. *And be it further enacted*, That the Secretary for the Department of War, for the time being, shall, from time to time, issue warrants for the military land bounties to the persons entitled thereto by the two last-mentioned acts, or either of them: *Provided, always*, That such warrants shall be issued only in the names of the persons thus entitled, and be, by them or their representatives, applied for within five years after the same persons shall have become entitled thereto; and the said warrants shall not be assignable or transferable in any manner whatever.

The Secretary of War to issue warrants for the military land bounties, &c.

Provido; the warrants to be issued in the names of the persons entitled, to be applied for within five years, and not assignable, &c.

SEC. 3. *And be it further enacted*, That every person in whose favor such warrants shall have been issued, shall, on delivery of the same at the office of the Secretary of the Treasury, or of such other officer as may at the time have, by law, the superintendence of the General Land Office of the United States at the seat of Government, be entitled to draw by lot, in such manner as the officer at the head of the Land Office, under the direction of the President of the United States, may prescribe, one of the quarter sections surveyed by virtue of the first section of this act, in either of the said Territories which the person in whose favor such warrant has issued may designate. And a patent shall thereupon be granted to such person for such quarter section, without requiring any fee therefor.

Persons in whose favor warrants have issued, on delivering them at the General Land Office, to be entitled to draw, by lot, one of the quarter sections, &c. in either of the Territories, and a patent to be granted without fee.

SEC. 4. *And be it further enacted*, That no claim for the military land bounties aforesaid shall be assignable or transferable in any manner whatever, until after a patent shall have been granted in the manner aforesaid. All sales, mortgages, contracts, or agreements, of any nature whatever, made prior thereto, for the purpose or with intent of alienating, pledging, or mortgaging, any such claim, are hereby

No claim for military land bounties assignable, &c. until after a patent, &c.

All sales, mortgages, contracts, &c., made prior to granting a patent, with intent to alienate, &c. any

claim to military land bounties, &c., declared null and void, &c.

declared, and shall be held, null and void; nor shall any tract of land, granted as aforesaid, be liable to be taken in execution or sold on account of any such sale, mortgage, contract, or agreement, or on account of any debt contracted prior to the date of the patent, either by the person originally entitled to the land, or by his heirs or legal representatives, or by virtue of any process, or suit at law, or judgment of court, against a person entitled to receive his patent as aforesaid.

Approved, May 6, 1812.

[See Part II, Nos. 93, 293, 776, 777, 778, 783.]

CHAP. 139.—An act providing for the government of the Territory of Missouri.

* The preceding sections, and the following section, irrelevant.

The General Assembly not to interfere with the primary disposal of the soil by the United States, &c.

SEC. 15.* *And be it further enacted*, That the General Assembly shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulation Congress may find necessary to make for securing the title in the bonafide purchasers. No tax shall ever be imposed on lands the property of the United States. The lands of nonresident proprietors shall never be taxed higher than those of residents. The Mississippi and Missouri rivers, and the navigable waters flowing into them, and the carrying places between the same, shall be common highways, and forever free to the people of the said Territory and to the citizens of the United States, without any tax, duty, or impost, therefor.

The Mississippi and Missouri rivers, carry'g places, &c. to be common highways, and forever free, &c.

Approved, June 4, 1812.

[See Part II, Nos. 13, 244.]

CHAP. 140.—An act making further provision for settling the claims to land in the Territory of Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the rights, titles, and claims, to town or village lots, out-lots, common field lots, and commons, in, adjoining, and belonging to, the several towns or villages of Portage des Sioux, St. Charles, St. Louis, St. Ferdinand, Villa a Robert, Carondelet, St. Genevieve, New Madrid, New Bourbon, Little Prairie, and Arkansas, in the Territory of Missouri, which lots have been inhabited, cultivated, or possessed, prior to the twentieth day of December, one thousand eight hundred and three, shall be, and the same are hereby, confirmed, to the inhabitants of the respective towns or villages aforesaid, according to their several right or rights in

The rights, &c., to town or village lots, &c. in and adjoining, &c. to the villages or towns mentioned, inhabited, &c. prior to the 20th Dec. 1803, confirmed to the inhabitants, &c.

common thereto: *Provided*, That nothing herein contained shall be construed to affect the rights of any persons claiming the same lands, or any part thereof, whose claims have been confirmed by the board of commissioners for adjusting and settling claims to land in the said Territory. And it shall be the duty of the principal deputy surveyor for the said Territory, as soon as may be, to survey, or cause to be surveyed and marked, (where the same has not already been done according to law,) the out boundary lines of the said several towns or villages, so as to include the out-lots, common field lots, and commons, thereto, respectively, belonging. And he shall make out plats of the surveys, which he shall transmit to the surveyor general, who shall forward copies of the said plats to the Commissioner of the General Land Office and to the recorder of land titles; the expense of surveying the said out boundary lines shall be paid by the United States out of any moneys appropriated for surveying the public lands: *Provided*, That the whole expense shall not exceed three dollars for every mile that shall be actually surveyed and marked.

Proviso; nothing herein to affect the rights of persons whose claims have been confirmed, &c.

The principal deputy surveyor to survey, &c. the out boundary lines of the towns, &c., so as to include the out-lots, &c., make out plats, &c.

Proviso; the whole expense not to exceed \$3 for every mile actually surveyed, &c.

SEC. 2. *And be it further enacted*, That all town or village lots, out-lots, or common field lots, included in such surveys, which are not rightfully owned or claimed by any private individuals, or held as commons, belonging to such towns or villages, or that the President of the United States may not think proper to reserve for military purposes, shall be, and the same are hereby, reserved for the support of schools in the respective towns or villages aforesaid: *Provided*, That the whole quantity of land contained in the lots reserved for the support of schools, in any one town or village, shall not exceed one twentieth part of the whole lands included in the general survey of such town or village.

All town or village lots, &c. not rightfully owned, &c. by any private individuals, &c. or that the President, &c., reserved for the support of schools.

Proviso; the whole quantity reserved for schools, &c. not to exceed 1-20th part, &c.

SEC. 3. *And be it further enacted*, That every claim to a donation of lands in the said Territory, in virtue of settlement and cultivation, which is embraced by the report of the commissioners transmitted to the Secretary of the Treasury, and which, by the said report, shall appear not to have been confirmed, merely because permission, by the proper Spanish officer, to settle, has not been duly proven; or because the tract claimed, although inhabited, was not cultivated on the twentieth of December, one thousand eight hundred and three; or not to have been confirmed on account of both said causes; the same shall be confirmed, in case it shall appear that the tract so claimed was inhabited by the claimant, or some one for his use, prior to the twentieth day of December, one thousand eight hundred and three, as aforesaid, and cultivated in eight months thereafter; subject, however, to every other limitation and restriction prescribed by former laws in respect to such claims: and in all cases where it shall appear by the said report, or other records of the board, that claims to land have not been confirmed, merely on the ground that the claim was for a greater quantity than

Every claim to a donation of lands in the Territory of Missouri, in virtue of settlement, embraced by the report of the commissioners, and not confirmed because permission to settle, by the Spanish officer, has not been proven, or, &c., to be confirmed in case it appears that the tract claimed was inhabited, &c. prior to the 20th Dec. 1803, &c., subject, &c.

In cases where it appears by the report, &c. that a claim has not been confirmed on the ground that it was

for a greater quantity, &c., it is to be confirmed to the extent of 800 arpens.

The recorder of land titles for the Territory of Missouri to make an extract from the books, &c. of all claims directed to be confirmed by the preceding section, and transmit a copy to the Commissioner of the General Land Office, furnish the deputy surveyor with a description, &c., issue certificates, &c.

Patents to be granted, &c.

The principal deputy surveyor to survey, &c. so much of the lands in the Missouri Territory as the President may direct, &c., and also the lands the claims to which are directed to be confirmed, &c.

The principal deputy surveyor to make out a general and connected plat of all the surveys, and transmit it to the surveyor general, who, &c.

The expense of surveying to be paid by the United States, provided it does not exceed \$3 a mile, &c.

Where, by reason of the indefinite description, &c. of any tract, &c. the same cannot be ascertained by the principal deputy surveyor, the recorder, &c. to furnish such precise description as, &c.

eight hundred arpens, French measure, every such claim, to the extent of eight hundred arpens, shall be confirmed.

SEC. 4. *And be it further enacted,* That the recorder of land titles for the said Territory shall, without delay, make an extract from the books of the said board of commissioners of all the claims to land which are, by the preceding section, directed to be confirmed, a copy of which he shall transmit to the Commissioner of the General Land Office; and he shall furnish the principal deputy surveyor with a proper description of the tracts so to be confirmed, wherein the quantity, locality, boundaries, and connexion, when practicable, with each other, and those tracts that have been confirmed by the board of commissioners, shall be stated. And whenever plats of the surveys, as hereinafter directed, shall have been returned to the said recorder's office, it shall be his duty to issue, for each tract to be confirmed as aforesaid, to the person entitled thereto, a certificate in favor of the party, which shall be transmitted to the Commissioner of the General Land Office; and if it shall appear, to the satisfaction of the said Commissioner, that such certificate has been fairly obtained, according to the true intent and meaning of this act, then, in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States.

SEC. 5. *And be it further enacted,* That the principal deputy surveyor shall survey, or cause to be surveyed, under the direction of the surveyor general, so much of the lands in the said Territory, to which the Indian title has been extinguished, as the President of the United States may direct, into townships of six miles square, by lines running due north and south, and others crossing these at right angles; and also the lands the claims to which are directed to be confirmed by the third section of this act; and the lands the claim to which have been confirmed by the board of commissioners, where the same has not already been surveyed under the authority of the United States. And the said principal deputy surveyor shall make out a general and connected plat of all the surveys directed by this act to be made, or which have already been made, under the authority of the United States, which he shall transmit to the surveyor general, who shall transmit copies of the said plat or plats to the recorder of land titles and the Commissioner of the General Land Office. The expense of surveying shall be paid by the United States: *Provided,* The same shall not, in the whole, exceed three dollars a mile for every mile that shall be actually surveyed and marked.

SEC. 6. *And be it further enacted,* That in all cases where, by reason of the indefinite description of the local situation and boundaries of any tract, the claim to which has been confirmed by the commissioners, the same cannot be ascertained by the principal deputy surveyor, it shall be the duty of the recorder of land titles, on the application of the said

principal deputy, to furnish such precise description thereof as can be obtained from the records in his office and the books of the said board of commissioners; and for the purpose of the more correctly ascertaining the locality and boundaries of any such tracts, the said principal deputy shall have free access, at all reasonable hours, to the books and papers in the recorder's office, relating to land claims, and be permitted to take copies or such extracts therefrom, or any of them, as he may think proper and necessary for the discharge of his duty in executing such surveys. And the said recorder shall be allowed twenty-five cents for the description of each tract which he shall furnish to the principal deputy surveyor as aforesaid.

For more correctly ascertaining boundaries, &c., the principal deputy to have free access, &c. to books and papers in the recorder's office, &c., and may take copies, &c.

25 cents to the recorder for the description of each tract, &c.

SEC. 7. *And be it further enacted*, That every person or persons claiming lands in the Territory of Missouri, who are actual settlers on the lands which they claim, and whose claims have not been heretofore filed with the recorder of land titles for the said Territory, shall be allowed until the first day of December next to deliver notices, in writing, and the written evidences of their claims, to the said recorder; and the notices and evidences, so delivered within the time limited by this act, shall be recorded in the same manner and on payment of the same fees as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing within the time limited by this act shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence, in any court of the United States, against any grant derived from the United States.*

Persons claiming lands in the Territory of Missouri, being actual settlers, whose claims have not been filed, &c. allowed until the 1st Dec. 1813, to deliver notices, &c. to the recorder.

The notices, &c. to be recorded, &c.

The rights of persons neglecting to deliver notices, &c. to become void, &c.

* See chap. 153.

SEC. 8. *And be it further enacted*, That the said recorder of land titles shall have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of December next, and the claims which have been heretofore filed, but not decided on by the commissioners, as the board of commissioners had, by former laws, respecting claims, filed prior to the first day of July, one thousand eight hundred and eight, except that all of his decisions shall be subject to the revision of Congress. And it shall be the duty of the said recorder to make to the Commissioner of the General Land Office a report of all the claims which shall be thus filed before the first day of December next, and of the claims which have been already filed, but not decided on by the said commissioners, together with the substance of the evidence in support thereof, with his opinion, and such remarks as he may think proper; which report, together with a list of the claims which, in the opinion of the said recorder, ought to be confirmed, shall be laid by the Commissioner of the General Land Office before Congress, at their next session, for their determination thereon. The said recorder, in addition to his salary as fixed by law, shall be allowed fifty

The recorder of land titles to have the same powers, &c. in relation to claims filed, &c. as the board of commissioners had by former laws, &c., except, &c.

The recorder to make a report of all the claims filed, &c. to the Commissioner of the General Land Office, &c.

The report, and a list of the claims, &c. to be laid before Congress, &c.

The recorder allowed 50 cents for each claim filed,

in addition, &c., and a further sum of \$600 after his report, &c., to be in full, including clerk hire.

cents for each claim which has been filed, but not decided on by the commissioners, or which shall be filed according to this act, and on which he shall make a decision, whether such decision be in favor of or against the claim; and a further allowance of five hundred dollars, which shall be paid after he shall have made his report to the Commissioner of the General Land Office; which allowance of fifty cents for each claim decided on, and five hundred dollars on the completion of the business, shall be in full compensation for his services, including clerk hire, respecting the claims to be decided on according to this act.

Approved, June 13, 1812.

[See Part II, Nos. 828, 836, 837, 842, 855, 884, 933, 945, 946, 958.]

CHAP. 141.—An act to ascertain the western boundary of the tract reserved for satisfying the military bounties allowed to the officers and soldiers of the Virginia line on continental establishment.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

The President, etc. to appoint three commissioners, to act with commissioners to be appointed by Virginia.

The commissioners empowered to ascertain, etc. the westwardly boundary line of the Virginia reservation, etc.

*See appendix No. 1.

That the President of the United States shall be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint three commissioners on the part of the United States, to act with such commissioners as may be appointed by the State of Virginia: and the commissioners thus appointed shall have full power and authority to ascertain, survey, and mark, according to the true intent and meaning of the condition touching the military reservation, in the deed of cession from the State of Virginia to the United States,* of the land northwest of the river Ohio, the westwardly boundary line of said reservation, between the Little Miami and Scioto rivers.

The commissioners of the United States to meet at Xenia on the 5th of October, 1812, unless, etc., and if not met within six days by the commissioners of Virginia, to proceed to survey the boundary line, etc.

SEC. 2. *And be it further enacted,* That the commissioners appointed by the United States shall meet at Xenia, in the State of Ohio, on the fifth day of October next, for the purpose of ascertaining the said line, unless otherwise directed by the President of the United States; and in case they shall not be met by commissioners appointed on the part of the State of Virginia, within six days after the said fifth day of October next, the commissioners appointed on the part of the United States shall proceed to ascertain, survey, and distinctly mark, the said boundary line, according to the true intent and meaning of the said act of cession; in measuring the said line, whether accompanied by the commissioners on the part of Virginia or not, or in case of disagreement, they shall note the intersections, if any, of said line, with any surveys heretofore authorized by the United States, all watercourses, the quality of the land over which the line passes, and any other matter which, in their opinion, requires notice. The said commissioners shall make a plat of

In measuring the line, its intersections with former authorized surveys and watercourses, etc. to be noted, etc.

said line, its intersections, with notes and references, which shall be signed and returned by the said commissioners to the Commissioner of the General Land Office, accompanied by a written report, on or before the fifth day of January next, unless the time of meeting shall have been prolonged by the President of the United States, who shall lay copies of the same before both Houses of Congress at their next session.

SEC. 3. *And be it further enacted*, That the commissioners aforesaid shall have power to engage a skilful surveyor, who shall employ chain-carriers and a marker, and shall be allowed four dollars for every mile actually surveyed and marked, under direction of the said commissioners, in performance of the duties assigned them; and the commissioners appointed on the part of the United States shall each receive five dollars for each day he shall be necessarily employed in performance of the duties required of them by this act; which compensation to the surveyor and commissioners shall be paid out of any moneys in the Treasury not otherwise appropriated by law.

SEC. 4. *And be it further enacted*, That until the westwardly boundary line of the said reservation shall be finally established, by the agreement and consent of the United States and the State of Virginia, the boundary line designated by an act of Congress passed on the twenty-third day of March, one thousand eight hundred and four,* shall be considered and held as the proper boundary line of the aforesaid reservation.

SEC. 5. *And be it further enacted*, That it shall be the duty of the Secretary of State to transmit an authenticated copy of this act to the Governor of Virginia within twenty days after its passage.

Approved, June 26, 1812.

[See Part II, Nos 35, 43, 134, 136, 137.]

CHAP. 142.—An act confirming claims to lands in the Mississippi Territory, founded on warrants of survey granted by the British or Spanish Government.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person, and the legal representative of every person, claiming lands in the Mississippi Territory, by virtue of a British or Spanish warrant or order of survey, granted prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, who were, on that day, actually resident in the said Territory, and whose claims have been regularly filed with the proper register of the land office east and west of Pearl river, according to law, and reported to Congress agreeably to the fourth section of the act entitled "An act concerning the sale of the lands of the

The commissioners to make a plat, etc., to be returned to the Commissioner of the General Land Office, with the written report, etc. and copies to be laid before Congress, etc.

The commissioners empowered to employ a skilful surveyor, who is to employ chain-carriers, etc., to be allowed 4 dollars for every mile, etc.

The commissioners on the part of the United States to receive 5 dollars per day, each, etc.

Until the boundary line is established by consent, etc., the boundary designated by the act mentioned to be held as the proper one, etc.

*See chap. 68.

The Secretary of State to transmit a copy of this act within 20 days, etc.

Persons, etc. claiming lands in the Mississippi Territory, by virtue of a British or Spanish warrant, etc. granted prior to the 27th day of Oct. 1795, and, on that day, actually resident, etc., and whose claims have been filed, reported, etc., confirmed in their rights.

*Ante, chap. 98.

The register and receiver to make out to claimants entitled, etc. certificates of confirmation, etc. directed to the Commissioner of the General Land Office, and patents to be granted, if, etc.

Provido; no person to be entitled to the benefit of this act who does not appear, etc. to have been a resident of the Territory on the 27th of October, 1795, nor, etc.

Provido; not more than 640 acres to any one claim.

Nothing in this act to affect the decisions of the courts, etc. respecting the claims, etc., or to prevent a judicial decision between the holders of a British patent, etc. and the persons whose claims are confirmed, etc.

United States, and for other purposes,"* passed on the thirty-first day of March, one thousand eight hundred and eight, be, and they are hereby, confirmed in their rights to land so claimed. And the register and receiver of public moneys for the district within which the lands may lie are authorized and required to make out, to such claimant or claimants entitled thereto by the provisions of this act, a certificate of confirmation, for each of which certificates the register and receiver shall each receive one dollar, directed to the Commissioner of the General Land Office; and if it shall appear, to the satisfaction of the said Commissioner, that such certificates have been fairly obtained, according to the true intent and meaning of this act, then, and in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States: *Provided*, That no person shall be entitled to the benefit of this act who shall not appear, by the report made to Congress as aforesaid, or by the records of the boards of commissioners for the said Territory, to have been a resident of said Territory on the twenty-seventh day of October, one thousand seven hundred and ninety-five; nor shall any person be entitled to the benefit thereof who has received a donation grant from the United States: *Provided, also*, That not more than six hundred and forty acres shall, by virtue of this act, be granted to any one claim.

SEC. 2. *And be it further enacted*, That nothing in this act contained shall be construed to affect the decisions of the courts of justice in the said Territory, heretofore made, respecting the claims, or any part thereof, embraced by the preceding section, or to prevent a judicial decision between the holder of a British patent, legally and fully executed, and recorded with the register of the land office east or west of Pearl river, and the persons whose claims are confirmed by the preceding section, where such claims interfere.

Approved, June 30, 1812.

[See Part II, Nos. 19, 658, 661, 662, 663, 664.]

CHAP. 143.—An act to authorize the issuing of Treasury notes.

* The other sections of this act irrelevant.

The Treasury notes to be received in payment of duties, taxes, public lands, &c.

On every payment of Treasury notes, etc. credit to be given for principal and interest, etc. the interest to be computed at the rate of one cent and a half per day on every \$100, etc.

SEC. 6.* *And be it further enacted*, That the said Treasury notes, wherever made payable, shall be every where received in payment of all duties and taxes laid by the authority of the United States, and of all public lands sold by the said authority. On every such payment, credit shall be given for the amount of both the principal and the interest which, on the day of such payment, may appear due on the note or notes thus given in payment. And the said interest shall, on such payments, be computed at the rate of one cent and one half of a cent per day on every hundred dollars of principal, and each month shall be computed as containing thirty days.

Approved, June 30, 1812.

CHAP. 144.—An act giving validity to the sale of certain tracts of public lands sold in the western district of the Territory of Orleans, now State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sale of the several tracts of public lands sold in the month of January, one thousand eight hundred and twelve, at the public sales held under the superintendence of the register of the land office and the principal deputy surveyor of the western district of the Territory of Orleans, (now State of Louisiana,) be, and the same is hereby, made good and valid, to all intents and purposes, any law to the contrary notwithstanding: And the purchasers of the said tracts shall, severally, on completing the payment of the purchase-money according to law, be entitled to receive a patent or patents for the lands so purchased and paid for, as in case of other lands sold by the United States; the first instalment of the purchase-money shall be considered as due and payable at ten days after the receiver of public moneys for the district within which the lands lie shall have entered on the discharge of the duties of his office.

The sale of the tracts of land sold in January, 1812, at public sales, under the superintendence of the register and principal deputy surveyor of the western district of Orleans, made good and valid, etc.

The purchasers of the tracts, on completing the payment of the purchase-money, to be entitled to receive patents, etc.

The first instalment of the purchase-money to be considered due and payable ten days after the receiver has entered on the discharge of the duties of his office.

Approved, July 1, 1812.

CHAP. 145.—An act confirming grants to lands in the Mississippi Territory, derived from the British Government of West Florida, not subsequently re-granted by the Government of Spain or of the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That citizens of the United States claiming lands in the Mississippi Territory, by virtue of grants legally and fully executed, derived from the British Government of West Florida, whose lands have not been subsequently re-granted by the Spanish Government, or claimed in right of donation or pre-emption certificates granted by the boards of commissioners east and west of Pearl river, and whose claims have been regularly filed, according to law, with the proper register of the land office in the said Territory, and are embraced in the report of the commissioners laid before Congress according to law, be, and they are hereby, confirmed in their respective claims, according to the said grants; *Provided,* That nothing in any law of the United States shall be construed to prevent a judicial decision of controversies under the respective claims aforesaid.

Citizens claiming lands in the Mississippi Territory, by legally and fully executed grants from the British Government of West Florida, whose lands have not been re-granted, or claimed, etc., whose claims have been regularly filed, etc. and are embraced in the report laid before Congress, etc., confirmed in their claims, etc.

Provided; nothing in any law to prevent a judicial decision of controversies, etc.

Approved, July 5, 1812.

[See Part II, No. 19.]

CHAP. 146.—An act supplementary to the act entitled “An act giving further time to the purchasers of public lands northwest of the river Ohio to complete their payments.”*

*See original act, of 23d April, 1812; ante, chap. 134.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act to which this act is a supplement shall be, and they are hereby, extended to the several purchasers of the fractional sections which were, by the direction of the Secretary of the Treasury, classed together for sale, according to the ninth section of an act entitled “An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes,”† passed on the twentieth‡ of March, one thousand eight hundred and four, notwithstanding the quantity of land contained in any one tract, composed of such fractional sections, so classed together, and purchased by a single contract, shall exceed six hundred and forty acres.

The provisions of the act referred to extended to the purchasers of the fractional sections, etc., classed together for sale, according to the 9th sec. of the act mentioned, notwithstanding, etc.

†Chap. 69.

‡It ought to be the 28th.

Assignees of original purchasers of lands purchased prior to the 1st of April, 1808, entitled to the benefit of the act and section referred to, in every case where, etc.

§Ante, chap. 134.

SEC. 2. *And be it further enacted,* That the assignee or assignees of any original purchaser of land from the United States, the lands being purchased prior to the first day of April, one thousand eight hundred and eight, shall be entitled to the benefit of the provisions of the act to which this act is a supplement,§ and the last preceding section, in every case where it shall appear, to the satisfaction of the register and receiver of public moneys of the district within which the land may lie, that the assignment by which he or they so claim was bona fide made prior to the passing of the aforesaid act, that the whole lands claimed by virtue of such assignment does not exceed six hundred and forty acres, unless it comes within the provision of the preceding section, and that the lands, or some one tract thereof, is inhabited and cultivated by or for the use of the assignee or assignees.

In all cases where tracts, etc. purchased prior to the 1st of April, 1808, not exceeding 640 acres, unless, etc. have, since the 1st of April, 1812, or may have, before the 1st of August, 1812, reverted, etc. for default of payment, the persons claiming, etc. may re-enter; moneys paid to be placed to credit, etc., and repurchasers allowed the same benefit of the extension of the time of payment, etc.

SEC. 3. *And be it further enacted,* That in every case where any tract or tracts of land, purchased prior to the first day of April, one thousand eight hundred and eight, not exceeding six hundred and forty acres, unless such tract shall come within the provision of the first section of this act, has, since the first day of April last, reverted, or that may, before the first day of August next, revert to the United States, for default of payment, the person or persons claiming such tract or tracts, whether as an assignee or an original purchaser, may again re-enter the same; and all moneys which such assignee or original purchaser may have paid shall be replaced to his credit, by the register and receiver of public moneys of the district in which the lands may lie; and such repurchaser or repurchasers shall be allowed the same benefit of the extension of the time of payment, provided by the act to which this is a supplement, as though no such reversion had occurred: *Provided,* Such assignee or assignees, original purchaser or purchasers, shall make to the proper land officer application for such re-entry on or before the first day of

Provido; application to be made to the proper land officer for re-entry on or before the 1st Sept. 1812, and if the lands have not been resold, etc.

September next, and that the lands so re-entered shall not have been resold previous to such application.

Approved, July 6, 1812.

[See Part II, Nos. 13, 217, 218.]

CHAP. 147.—An act increasing the pay of non-commissioned officers, musicians, privates, and others, of the army, and for other purposes.

SEC. 3.* *And be it further enacted*, That every non-commissioned officer, musician, and private, who shall, after the promulgation of this act, be recruited in the regular army of the United States, may, at his option, to be made at the time of enlistment, engage to serve during the present war with Great Britain, instead of the term of five years; and shall, in case he makes such option, be entitled to the same bounty in money and land, and to all other allowances, and be subject to the same rules and regulations, as if he had enlisted for the term of five years.

Approved, December 12, 1812.

*The other sections irrelevant. Non-commissioned officers, privates, etc. recruited after the promulgation of this act, may enlist to serve during the war, or for five years, at option, etc.

CHAP. 148.—An act supplementary to the act, entitled “An act for the more perfect organization of the army of the United States.”

SEC. 4.† *And be it further enacted*, That, in order to complete the present military establishment to the full number authorized by law, with the greatest possible despatch, there shall be paid to each effective, able-bodied man, who shall be duly enlisted into the service of the United States, after the first day of February next, to serve for the term of five years, or during the war, an advance of twenty-four dollars, on account of his pay, in addition to the existing bounty; one half of such advance to be paid at the enlistment of the recruit, and the other half when he shall be mustered, and have joined some military corps of the United States, for service; and a bounty of one hundred and sixty acres of land, as heretofore established by law.

Approved, January, 20, 1813.

†The other sections irrelevant. 24 dollars, on account of pay, etc., to be advanced to each able-bodied man enlisted after the 1st of February, 1813, etc.

Bounty of 160 acres of land, etc.

CHAP. 149.—An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person, or legal representative of every person, who has actually inhabited and cultivated a tract of land lying in either of the districts established for the sale of public lands in the Illinois Territory, which tract is not

Persons, etc. inhabiting and cultivating tracts of land in the districts established in the Illinois Territory, not rightfully claimed, etc. entitled to a preference in becoming purchasers, etc.

rightfully claimed by any other person, and who shall not have removed from said Territory ; every such person, and his legal representatives, shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, at private sale, at the same price, and on the same terms and conditions, in every respect, as are or may be provided by law for the sale of other lands sold at private sale in said Territory, at the time of making such purchase : *Provided*, That no more than one quarter section of land shall be sold to any one individual in virtue of this act ; and the same shall be bounded by the sectional and divisional lines run, or to be run, under the direction of the surveyor general, for the division of the public lands : *Provided, also*, That no lands reserved from sale by former acts, or lands which have been directed to be sold in town lots and out-lots, shall be sold under this act.

Proviso; not more than one quarter section to one individual, etc.

Proviso; lands reserved, or directed to be sold in town lots, etc. not to be sold under this act.

Persons claiming a preference in purchasing to deliver notice in writing to the register of the land office, etc.

Where it appears to the satisfaction of the register, etc. that persons are entitled to a preference, they may enter the quarter sections with the register, on producing receipts, etc.

Proviso; lands sold under this act to be entered with the register two weeks before the public sales, etc.

Persons having a right of preference, etc. failing to make entry within the time, etc., their rights are forfeited, etc.

SEC. 2. *And be it further enacted*, That every person claiming a preference in becoming the purchaser of a tract of land in virtue of this act shall make known his claim by delivering a notice, in writing, to the register of the land office for the district in which the land may lie, wherein he shall particularly designate the quarter section he claims ; which notice the register shall file in his office, on receiving twenty-five cents from the person delivering the same. And in every case where it shall appear, to the satisfaction of the register and receiver of public moneys of the land office, that any person who has delivered his notice of claim is entitled, according to the provisions of this act, to a preference in becoming the purchaser of a quarter section of land, such person, so entitled, shall have a right to enter the same, with the register of the land office, on producing his receipt from the receiver of public moneys for at least one twentieth part of the purchase-money, as in case of other public lands sold at private sale : *Provided*, That all lands to be sold under this act shall be entered with the register at least two weeks before the time of the commencement of the public sales in the district wherein the land lies : and every person having a right of preference in becoming the purchaser of a tract of land, who shall fail so to make his entry with the register within the time prescribed, his right shall be forfeited, and the land by him claimed shall be offered at public sale with the other public lands in the district to which it belongs.

Approved, February 5, 1813.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 220, 221, 243, 244, 245, 247, 260, 261, 262, 286, 293, 309, 330, 564, 695, 696.]

CHAP. 150.—An act confirming certain claims to lands in the district of Vincennes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

assembled, That all the decisions of the register and receiver of public moneys for the district of Vincennes, made in favor of persons claiming donation lands in said district, as entered in a list of claims which, in the opinion of the said register and receiver, ought to be confirmed, in pursuance of the act entitled "An act providing for the sale of certain lands in the Indiana Territory, and for other purposes,"* passed on the thirtieth day of April, one thousand eight hundred and ten, which list is a part of their report to the Secretary of the Treasury, bearing date of the twenty-seventh day of May, one thousand eight hundred and twelve, be, and the same are hereby, confirmed.

The decisions of the register and receiver for the district of Vincennes, in favor of persons claiming donation lands, &c. entered in a list, &c. pursuant to the act mentioned, &c. confirmed.

*Ante, ch. 109.

SEC. 2. And be it further enacted, That the following persons whose claims, according to the aforesaid report, are not embraced by the provisions of the above-recited act, but which, nevertheless, in the opinion of the register and receiver, ought to be confirmed, shall be, and their claims are hereby, confirmed, respectively, to the following quantities of land, that is to say: the heirs of Francis Peltier, the heirs of Bernice Lefevre, and the heirs of Jean Btt. Valecour, respectively, four hundred acres; Rene Campeau, Francois Cardinal, the heirs of Joseph Pancake, the heirs of Jacob Howell, the heirs of Alexander Wilson, the heirs of Daniel Sullivan, and the heirs of Jacob Tevebaugh, respectively, one hundred acres.

Specific quantities of land confirmed to the persons mentioned, &c.

SEC. 3. And be it further enacted, That the several persons whose claims are confirmed by this act are hereby authorized to enter their locations, with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of the act entitled "An act respecting claims to lands in the Indiana Territory and State of Ohio,"† and in conformity to the provisions of that act: *Provided,* That such locations shall be made prior to the first day of October next; and the right of any person who shall neglect to locate prior to that day shall become void, and forever be barred.‡

Persons whose claims are confirmed may enter their locations with the register at Vincennes, on any part of the tract set apart, &c.

†Ante, ch. 85.

Proviso: the locations to be made prior to the 1st Oct. 1813, &c.

‡See chap. 169.

SEC. 4. And be it further enacted, That every person, or the legal representative of every person, whose claim to a tract of land is confirmed by this act, shall, whenever his claim shall have been located and surveyed, be entitled to receive, from the register of the land office at Vincennes, a certificate stating that the claimant is entitled to receive a patent for such tract of land, by virtue of this act; for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract of land, which shall issue in like manner as is provided by law for the other lands of the United States.

Persons, &c. whose claims are confirmed, &c. entitled to receive certificates authorizing the issuing of patents.

The register to receive one dollar for each certificate, &c.

Approved, February 13, 1813.

CHAP. 151.—An act giving further time for registering claims to lands in the eastern and western districts of the Territory of Orleans, now State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Persons claiming lands in the eastern or western district of Louisiana, being actual settlers, etc., whose claims have not been filed, etc., allowed until the 1st of January, 1814, to deliver notices in writing, etc.

The notices, etc. to be recorded, etc.

The rights of persons neglecting to deliver notices, etc. to be barred, etc.

That every person or persons claiming lands in the eastern or western district of the Territory of Orleans, now State of Louisiana, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the district wherein the lands lie, shall be allowed until the first day of January next to deliver notices in writing, and the written evidences of their claims, in the said districts, respectively, to the register of the land office at New Orleans and Opelousas; and the notices and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence, in any court of the United States, against any grant derived from the United States.

Persons who have filed notice of claims, etc., but have not exhibited testimony, etc., allowed until, 1st January, 1814, to deliver written evidence, etc.

Written evidence, etc. to be recorded, etc.

The right of persons neglecting to deliver evidence, etc. to become barred, etc.

SEC. 2. *And be it further enacted,* That every person or persons who had filed his or their notice of claims to land, lying within either of the said districts, with the proper register of the land office, according to former laws, but have not exhibited any testimony or written evidence in support of the same, and whose claim has not been confirmed by the commissioners appointed to ascertain and settle claims to lands in the said districts, shall be allowed until the first day of January next to deliver the written evidence, or other testimony, in support of his or their claim, the notice of which had been filed as aforesaid, to the register of the land office at New Orleans, for lands lying in the eastern district, and the register of the land office at Opelousas, for lands lying in the western district; and every written evidence of claim, the notice whereof had been filed as aforesaid, for lands lying in the said districts, delivered, within the time limited by this section, to the said registers, shall, by them, respectively, be recorded in the same manner as was directed, and on receiving the same fees allowed by former acts for recording evidence of claim to lands in the same districts; and the right of any such persons neglecting to deliver the evidence of their claims, as above mentioned, shall become barred and void, in so far as the same is derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever against any grant derived from the United States.

SEC. 3. *And be it further enacted,* That the register and

receiver of public moneys of the said respective land offices at New Orleans and Opelousas shall have the same powers and perform the same duties, in every respect, in relation to the claims that may be filed according to the first section of this act, and the claims notice of which had been given under former acts, and the evidence in support thereof shall have been delivered, according to the second section of this act, as the board of commissioners for ascertaining and adjusting claims to lands in the same districts would have had or should have performed, if such notice had been filed, and such evidence delivered, before the first day of July, one thousand eight hundred and eight; except that their decisions shall be subject to the revision of Congress.

The register and receiver at New Orleans and Opelousas to have the same powers, etc., in relation to the claims filed, etc., as the board of commissioners would have had, etc., if notice had been filed, etc. before the 1st of July, 1808, except, etc.

SEC. 4. *And be it further enacted*, That it shall be the duty of the register and receiver of each of the said land offices, respectively, to make to the Commissioner of the General Land Office a report of all the claims filed with the register as aforesaid, with the substance of the evidence in support thereof, and of the claims formerly filed, in support of which evidence shall have been received, with the substance of such evidence, and also their opinion, and such remarks respecting the claims as they may think proper to make; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, shall be laid by the Commissioner of the General Land Office before Congress, at their next session, for their determination thereon.

The register and receiver to make a report of claims filed to the Commissioner of the General Land Office, etc.

The report, etc. to be laid before Congress, etc.

SEC. 5. *And be it further enacted*, That the register and receiver for each of the aforesaid land offices shall have power to appoint a clerk, whose duties shall be the same, in relation to the aforesaid claims, as were required of the clerk to the board of commissioners for the same districts; and the said registers, receivers, and clerks, shall each be allowed fifty cents for each claim on which a decision shall be made in their respective districts, whether such decision be in favor or against the claims; which allowance of fifty cents shall be in full compensation for their services under this act. And a further sum of fifty cents shall be allowed on each claim decided as aforesaid, to defray the expense of making translations from the French and Spanish languages.

The register and receiver empowered to appoint a clerk, etc.

Registers, receivers, and clerks, each allowed 50 cents for every decision, in full, etc.

50 cents allowed on each claim, to defray the expense of translations, etc.

Approved, February 27, 1813.

[See Part II, No. 19.]

CHAP. 152.—An act giving further time to purchasers of public lands to complete their payments.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who, prior to the first day of April, one thousand eight hundred and nine, had purchased any tract or tracts of land of the United States, not exceed-

*See act of 19th February, 1814, ch. 153, post.

Persons who, prior to 1st April, 1809, had purchased any tracts of land, not exceeding 640 ac's, unless, etc., and

whose lands have not been sold or reverted, etc., allowed the further term of three years, etc. to complete the payments, etc.

*See ante, chapter 134.

First condition on which the further term is allowed.

Provido; as to payment of interest on or before the 1st June, 1813.

2d condition on which the further term is allowed.

In case of failure in paying, &c. the land to be advertised and sold, and to revert, &c.

Provido: the benefit of this act not to extend to persons on account of purchases made at land offices northwest of the Ohio prior to 1st April, 1806.

ing in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, at any of the land offices established for the disposal of the public lands, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase-money, shall be allowed the further term of three years, from and after the expiration of the period already given by law,* for completing the payment of the said purchase-money; which further term of three years shall be allowed only on condition: First. That all arrears of interest on the purchase-money shall have been paid on or before the time shall have expired, according to former laws, for completing the payment of the purchase-money: *Provided*, That in all cases in which the time for completing the payment of the purchase-money may have expired, or shall expire before the first day of June next, the interest may be paid on or before that day. Second. That the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in three equal annual payments, to wit: one third of the said residue, with interest which may then be due thereon, within one year; another third of said residue, with interest, within two years; and the remaining third of said residue, with interest, within three years after the expiration of the time for completing the payment on account of such purchase, according to former laws. And in case of failure in paying either the arrears or interest, or any of three instalments of principal, with the accruing interest, at the time and times above mentioned, the tract of land shall be forthwith advertised and offered for sale in the manner and on the terms directed by law in case of lands not paid for within the limited term, and shall revert in like manner if the sum due, with interest, be not at such sale bidden and paid: *Provided*, That the benefit of this act shall not extend to any person or persons on account of any purchase of any tract or tracts of land made at any of the land offices northwest of the river Ohio, prior to the first day of April, one thousand eight hundred and eight.

Approved, March 3, 1813.

[See Part II, Nos. 13, 224.]

CHAP. 153.—An act allowing further time for delivering the evidence in support of claims to land in the Territory of Missouri, and for regulating the donation grants therein.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person or persons who had filed a notice of claim to any tract of land lying within the district of Louisiana (now Territory of Missouri) with the recorder

Persons who had filed a notice of claim to any tract of land within the district of Louisi-

of land titles, according to law, and have not exhibited any testimony or written evidence in support of the same, and whose claim has not already been confirmed, shall be allowed until the first of January next to deliver to the recorder of land titles for said Territory the written evidence, or produce other testimony, in support of his or their claim, notice whereof had been filed as aforesaid; and the written evidence delivered to the said recorder within the time limited by this section, in support of claims filed as aforesaid, shall be by him recorded in the same manner and on receiving the same fees allowed by former acts for recording written evidence of claims to lands in the said district; and the rights of any such person, neglecting to deliver the evidence of their claims within the time above mentioned, shall become barred and void, in so far as the same was derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever.

SEC. 2. *And be it further enacted,* That the recorder of land titles for the said Territory shall have the same powers and perform the same duties, in every respect, in relation to the claims whereof notice had been filed as aforesaid, and the written evidence in support thereof shall have been delivered, or other testimony produced, within the time limited by this act, as the board of commissioners for ascertaining the rights of persons claiming lands in said district would have had, or should have performed, if the evidence of such claims had been delivered before the first day of July, one thousand eight hundred and eight, except that his decision shall be subject to the revision of Congress.

SEC. 3. *And be it further enacted,* That it shall be the duty of the said recorder to make to the Commissioner of the General Land Office a report of all the claims which had been filed, and in support of which evidence shall be received as aforesaid, with the substance of such evidence, together with his opinion and such remarks as he may think proper; which report, together with a list of the claims which, in the opinion of the said recorder, ought to be confirmed, shall be laid before Congress, at their next session, for their determination thereon.

SEC. 4. *And be it further enacted,* That every person whose claim to a donation of a tract of land in said district has been confirmed by the board of commissioners appointed for ascertaining the rights of persons claiming lands in said district, and is embraced in their report transmitted to the Secretary of the Treasury, or which has been confirmed by the recorder of land titles, under the third section of the act entitled "An act making further provision for settling the claims to land in the Territory of Missouri,"* approved on the thirteenth of June, one thousand eight hundred and twelve, shall be entitled to a grant for six hundred and forty acres, notwithstanding a less quantity shall have been allowed to him by the decision of the said commissioners or

(Missouri,) with the recorder, and have not exhibited testimony, &c., and whose claim has not been confirmed, allowed until 1st Jan. 1814, to deliver written evidence, &c.

The written evidence delivered within the time limited, &c. to be recorded, &c.

The rights of persons neglecting to deliver evidence, &c. to become void, in so far, &c.

The recorder, &c. to have the same powers, perform the same duties, &c. in relation to the claims, &c. as the board of commissioners would have had, &c. if the evidence had been delivered before the 1st of July, 1808, except, &c.

The recorder to report to the Commissioner of the General Land Office all claims filed, &c. with his opinion, &c.

The report, &c. to be laid before Congress, &c.

Persons whose claim to a donation of a tract of land has been confirmed by the board of commissioners, &c. or by the recorder, &c. to be entitled of a grant of 640 acres, notwithstanding, &c.

*Ante, ch. 140.

Provided, the grant not to be for more land than was claimed by the party in his notice, nor, &c.

recorder of land titles : *Provided*, That in no case shall the grant be for more land than was claimed by the party in his notice of claim, nor for more land than is contained within the acknowledged and ascertained boundaries of the tract claimed.

The principal deputy surveyor of the Territory to survey, &c. a tract of 640 acres to each claimant of a donation tract, whose claim has been confirmed, except, &c.

SEC. 5. *And be it further enacted*, That the principal deputy surveyor for the said Territory shall survey, or cause to be surveyed, under the direction of the surveyor general, a tract of six hundred and forty acres of land to each claimant of a donation tract whose claim has been confirmed as aforesaid, except as provided by the last preceding section, where the quantity claimed by the party was less than six hundred and forty acres, and where the ascertained boundaries of the tract claimed does not include six hundred and forty acres, in which cases the survey shall contain only the land claimed; and the tracts thus to be surveyed shall consist of unappropriated lands, and shall, in every case, contain the improved lands, by virtue of the settlement on and cultivation of which the claimant's right to a donation has been confirmed. And in all cases where, by reason of adjacent prior claims, or the contiguity of the improvements of the persons entitled to donation grants, each claimant cannot obtain a tract of six hundred and forty acres, the vacant lands applicable to the object shall be divided between the claimants, in such manner as shall appear to the principal deputy surveyor most equitable. And whenever plats of the surveys shall have been returned by the principal deputy surveyor to the office of the recorder of land titles, it shall be the duty of the recorder to issue, for each tract, according to the survey returned to him, a certificate, in favor of the party, to each person entitled thereto, which shall be transmitted to the Commissioner of the General Land Office. And if it shall appear, to the satisfaction of the said Commissioner, that such certificate was fairly obtained, according to the true intent and meaning of this act, then, in that case, patents shall be granted, in like manner as is provided by law for other lands of the United States.

The tracts to consist of unappropriated, and contain the improved lands, &c.

Where, &c. each claimant cannot obtain 640 acres, the vacant lands, &c. to be equitably divided.

When plats of surveys are returned, the recorder to issue certificates, &c.

Patents to be granted, &c.

The recorder, in addition to his salary, allowed 50 cents on each claim filed, and on which he makes a decision, &c.

A further allowance of 500 dollars.

The 50 cents and 500 dollars to be in full, &c.

SEC. 6. *And be it further enacted*, That the said recorder of land titles, in addition to his salary as fixed by law, shall be allowed fifty cents on each claim which had been filed, and in support of which evidence shall have been received, according to the first section of this act, and on which he shall make a decision, whether such decision be in favor of or against the claim; and a further allowance of five hundred dollars, which shall be paid after he shall have made his report to the Commissioner of the General Land Office; which allowance of fifty cents for each claim decided on, and five hundred dollars on the completion of the business, shall be in full compensation for his services, including clerk hire, respecting the claims to be decided on according to this act.

Approved, March 3, 1813.

CHAP. 154.—An act to amend the “Act in addition to the act entitled, ‘An act to raise an additional military force, and for other purposes.’”

SEC. 1.*

* Irrelevant.

SEC. 2. *And be it further enacted*, That each man recruited under the authority of this act be allowed the same bounty, in money and land, as is allowed by law to men enlisted for five years, or for the war; and that the officers, non-commissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed, in every respect, on the same footing, as the other regular troops of the United States.

Each man recruited under this act allowed the same bounty, etc. as men enlisted for five years, etc.

Officers, privates, etc. placed on the same footing as other regular troops.

Approved, July 5, 1813.

CHAP. 155.—An act further extending the time for issuing and locating military land warrants.]

+See former act, of 19th Dec. 1809, ante, chap. 105; and chap. 181.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and sixteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located, in the name of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and sixteen, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants. And patents shall be granted for the land located under this act in the same manner as is directed by former acts for granting military lands.

The Secretary of War authorized to issue military land warrants to persons who, before the 1st March, 1816, produce evidence of the validity of their claims, etc.

The warrants may be located in the name of the holders, etc. prior to 1st Oct. 1816, etc.

Patents to be granted as directed by former acts, etc.

Approved, July 5, 1813.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 156.—An act giving further time for registering claims to lands in the late district of Arkansaw, in the Territory of Missouri, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person or persons claiming lands in the late district of Arkansaw, in the Territory of Missouri, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the recorder of land titles for the Territory of Missouri, shall be allowed until the first day of January next to deliver notices in writ-

Persons claiming lands in the late district of Arkansaw, etc. being actual settlers, whose claims have not been filed, etc. allowed until the 1st Jan. 1814, to deliver written notice and evidence of their claims to the recorder, etc.

The notices delivered, etc. to be recorded, etc. as if delivered before the 1st July, 1808.

The rights of persons neglecting to deliver notice, etc. barred, etc.

The recorder to have the same powers in relation to the claims filed, etc. as the board of commissioners, etc. would have had if notice had been filed, etc. before the 1st July, 1808, except, etc.

The recorder to report all claims filed to the Commissioner of the General Land Office, etc.

The report, etc. to be laid before Congress, etc.

The recorder to be allowed 50 cents for each decision, etc., in full, etc.

Where notice of claim has been filed, etc., and no testimony produced, the claimants allowed until the 1st July, 1814, to exhibit testimony, etc.

ing, and the written evidence of their claims, to the recorder of land titles in the Territory aforesaid; and the notices and evidences so delivered within the time limited by this act shall be recorded in the same manner and on payment of the same fees as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the right of such persons as shall neglect so doing within the time limited by this act shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence, in any claim of the United States, against any grant derived from the United States.

SEC. 2. *And be it further enacted,* That the recorder of land titles for the Territory of Missouri shall have the same powers, and perform the same duties, in every respect, in relation to the claims that may be filed according to the preceding section, as the board of commissioners for ascertaining and adjusting claims to lands in the district of Louisiana would have had, or should have performed, if such notice had been filed and such evidence delivered before the first day of July, one thousand eight hundred and eight, except that his decisions shall be subject to the revision of Congress.

SEC. 3. *And be it further enacted,* That it shall be the duty of the said recorder of land titles to make to the Commissioner of the General Land Office a report of all claims filed with said recorder, with the substance of the evidence in support thereof, and also his opinion and such remarks respecting the claims as he may think proper to make; which report, together with a list of the claims which, in the opinion of the said recorder, ought to be confirmed, shall be laid by the Commissioner of the General Land Office before Congress, for their determination.

SEC. 4. *And be it further enacted,* That the said recorder shall be allowed fifty cents for each claim on which a decision shall be made, whether such decision shall be in favor or against the claims; which allowance shall be in full for his services under this act.

SEC. 5. *And be it further enacted,* That in every case where notice of the claim shall have been filed under former laws, and in which no testimony shall have been produced, the claimants shall be allowed until the first day of July, one thousand eight hundred and fourteen, to produce to said recorder testimony in support of such claims; and the said recorder shall, in relation to such claims, have the same powers and perform the same duties as are required of him on claims filed under this act.

Approved, August 2, 1813.

CHAP. 157.—An act authorizing the President of the United States to cause certain regiments therein mentioned to be enlisted for five years, or during the war.

SEC. 1.*

* Irrelevant.

SEC. 2. *And be it further enacted*, That each man enlisted under the authority of this act shall be allowed the same bounty, in money and land, as is now by law allowed to men enlisted for five years, or during the war; and that the officers, non-commissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed, in every respect, on the same footing, as the other regular troops of the United States.

Each man enlisted under this act allowed the same bounty, etc. as men enlisted for five years, etc.

Officers, privates, etc. to receive the same pay, clothing, etc.

Approved, January 28, 1814.

CHAP. 158.—An act for giving further time to purchasers of public lands to complete their payments.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who, prior to the first day of

April, one thousand eight hundred and ten, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, at any of the land offices, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase-money, shall be allowed the further time of three years, from and after the expiration of the present period already given by law,† for completing the payment of the said purchase-money; which further term of three years shall be allowed only on the following conditions: **First.** That all arrears of interest on the purchase-money shall have been paid on or before the time shall have expired for completing the payment of the purchase-money: *Provided*, That in all cases in which the time for completing the payment of the purchase-money may have expired, or shall expire before the first day of June next, the interest may be paid on or before that day. **Second.** That the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in three equal annual payments, as follows, viz: one third of the said residue, with the interest which may be due thereon, within one year; another third of the said residue, with the interest which may be due thereon, within two years; and the remaining third of the said residue, with the interest due thereon, within three years after the expiration of the time for completing the payment on account of such purchase, ac-

Every person who, prior to the 1st April, 1810, had purchased any tract of land, not exceeding 640 acres, unless, etc., and whose lands have not b'n sold, or reverted, allowed the further time of three years for completing payment, etc.

†See ante, chap. 152.

1st condition on which the further time is allowed.

Provided: as to the payment of interest on or before the 1st June, 1814.

2d condition on which the further time is allowed.

In case of failure in paying, etc. the tract to be advertised for sale, etc., to revert, etc.

Proviso: the benefit of this act not to extend to any person on account of any purchase, etc. prior to the 1st April, 1809.

cording to former laws. And in case of failure in paying either the arrears of interest or any of the three instalments of principal, with the accruing interest, at the time and times above mentioned, the tract of land shall be forthwith advertised and offered for sale in the manner and on the terms directed by law, in case of lands not paid for within the limited term, and shall revert in like manner if the sum due, with interest, be not at such sale bidden and paid: *Provided*, That the benefit of this act shall not extend to any person or persons on account of any purchase of any tract or tracts of land made at any of the land offices northwest of the river Ohio, prior to the first day of April, one thousand eight hundred and nine.

Approved, February 19, 1814.

[See Part II, Nos. 13, 224.]

CHAP. 159.—An act to authorize the President to receive into service certain volunteer corps.

*The other sections irrelevant.

The volunteers, to be taken into service, entitled to the same bounty, pay, etc. as the regular troops.

SEC. 2.* *And be it further enacted*, That the volunteers which shall be taken into service under the authority of the preceding section shall be entitled to the same bounty, pay, rations, clothing, forage, and emoluments of every kind, and to the same benefits and allowances, as the regular troops of the United States.

Approved, February 24, 1814.

CHAP. 160.—An concerning Shawneetown.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a tract of land, not exceeding two sections, in the Illinois Territory, adjoining Shawneetown, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and out-lots, in the same manner, under the same restrictions, as are prescribed by the sixth section of the act entitled "An act providing for the sale of certain lands in the Indiana Territory, and for other purposes,"† approved the thirtieth day of April, one thousand eight hundred and ten. And it shall be the duty of the surveyor general, or the person by him authorized to carry this act into effect, to select the two sections so as to extend the said town to the highlands in the rear of the town as it is now laid out.

Not exceeding two sections of land in the Illinois Territory, adjoining Shawneetown, to be laid off into town lots, streets, etc.

†Ante, chap. 109.

The surveyor general, etc. to select the two sections so as to extend the town to the highlands, etc.

The lots to be offered for sale as provided by the 6th sec. of the act referred to.

†Ante, chap. 109.

SEC. 2. *And be it further enacted*, That the lots in said town shall be offered for sale at the same time and on the same terms and conditions as are provided by the sixth section of the before-recited act.†

Approved, March 28, 1814.

CHAP. 161.—An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory.*

*See supplementary act, of 23d Jan. 1815, ch. 171.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person or persons claiming public lands in the Mississippi Territory, south of the State of Tennessee and west of the State of Georgia, under the act, or pretended act, of the State of Georgia, entitled "An act supplementary to an act entitled 'An act for appropriating a part of the unlocated territory of this State for the payment of the late State troops, and other purposes therein mentioned, declaring the right of this State to the unappropriated territory thereof, for the protection and support of the frontiers of this State, and for other purposes,'" passed January the seventh, one thousand seven hundred and ninety-five, who have exhibited the evidence of their claims to the Secretary of State, for the purpose of having the same recorded in books in his office, conformable to the act of Congress passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the State of Tennessee,"† shall be allowed until the first Monday of January next to deposite in the office of the Secretary of State of the United States a sufficient legal release of all such claim or claims to the United States, and an assignment and transfer to the United States of their right and claim to any sum or sums of money which by them, or the persons from whom they or any of them have derived their claims, were deposited or paid into the treasury of the State of Georgia, as the consideration of the purchase of the land for which their release of claim is deposited as aforesaid; and, also, a power to sue, in the name of such claimant, for any sum or sums of money assigned as aforesaid, and which shall have been unlawfully or fraudulently withdrawn from the treasury of the State of Georgia, such release, assignment, transfer, and power, to take effect on the indemnification of such claimants being made conformably to the provisions of this act.

Persons claiming lands in the Mississippi Territory, &c. under the act, or pretended act, of the State of Georgia, mentioned, who have exhibited evidence of their claims to the Secretary of State, for the purpose of being recorded, &c., allowed until the first Monday of January, 1815, to deposite in the office of the Secretary of State a sufficient legal release of claims, &c.

†Chap. 62.

SEC. 2. *And be it further enacted,* That the Secretary of State, the Secretary of the Treasury, and the Attorney General of the United States, (for the time being,) shall be, and they are hereby, constituted and appointed a board of commissioners, to meet in the city of Washington on the first Monday of January next; and, as soon as may be practicable thereafter, they, or any two of them, are hereby fully authorized and required to adjudge and determine upon the sufficiency of the releases, and assignments, and powers, to be executed and deposited in the office of the Secretary of State, in conformity with the foregoing section; and, also, to adjudge and finally determine upon all controversies arising from such claims, so released as aforesaid, which may be found to conflict with, and to be adverse to, each other; and,

The Secretary of State, Secretary of the Treasury, and Attorney General, appointed a board of commissioners, &c., and they, or any two of them, authorized to adjudge and determine upon the sufficiency of the releases, &c.

*See act of 23d Jan. 1815; chap. 171, post.

Provido; the commissioners to cause notice to be published in the newspapers, &c.

As soon as the commissioners have reported to the President, &c. he is to cause certificates of stock to be issued, not bearing interest, and payable out of the first moneys arising from the sale of lands in the Mississippi Territory, after the money due to the State of Georgia has been satisfied, &c.

Not exceeding 350,000 dollars to persons claiming in the name of the Upper Mississippi Company.

Not exceeding 600,000 dolls. to persons claiming in the name of the Tennessee Company.

1,550,000 dollars to persons claiming in the name of the Georgia Mississippi Company.

2,250,000 dollars to persons claiming in the name of the Georgia Company.

Not exceeding \$350,000 to persons claiming under citizens' rights, etc.

also, to adjudge and determine upon all such claims under the aforesaid act, or pretended act, of the State of Georgia, as may be found to have accrued to the United States by operation of law: * *Provided*, That it shall be the duty of the said commissioners to cause to be published, for the period of three months before the said meeting, at least once a week, in all the public newspapers in which the acts of Congress are by authority published, notice of the purposes, and of the time and place, of such meeting.

SEC. 3. *And be it further enacted*, That, as soon as the said commissioners shall have made report to the President of the United States of the sufficiency of such releases and assignments, to the amount of at least nine tenths of the whole lands claimed by virtue of the sales made by the Legislature of the State of Georgia to the respective companies hereafter enumerated, exclusive of such claims to the said lands as shall have vested in the United States by the operation of law, and shall have certified to him the names of the claimants whose claims they have finally adjudged and allowed, and the respective and relative proportions on which they are entitled to the indemnity under and by virtue of this act, the President shall be, and he hereby is, authorized and required to cause to be issued, from the Treasury of the United States, to such claimants, respectively, (of convenient amount for circulation,) certificates of stock, not bearing interest, and expressing on their face that the same are payable out of the first moneys in the Treasury of the United States arising from the sale of public lands in the Mississippi Territory, after the money due to the State of Georgia, and the expenses of surveying such lands, have been satisfied.

To the persons claiming in the name of or under the Upper Mississippi Company, including such share or shares as may be found to have vested in the United States, and for which the United States are to be considered entitled to the respective proportions for the same, (and exclusive of all claims usually denominated, in the former report of the commissioners aforesaid, citizens' claims,) a sum not exceeding in the whole three hundred and fifty thousand dollars.

To the persons claiming in the name of or under the Tennessee Company, under the foregoing terms and restrictions, a sum not exceeding in the whole six hundred thousand dollars.

To the persons claiming in the name of or under the Georgia Mississippi Company, under the like terms and restrictions, a sum not exceeding in the whole one million five hundred and fifty thousand dollars.

To the persons claiming in the name of or under the Georgia Company, under the like terms and restrictions, a sum not exceeding in the whole two millions two hundred and fifty thousand dollars.

To the persons claiming under citizens' rights, including such share or shares as have already accrued to the United

States by operation of law, or by the provisions of this act, and to which the United States are to be considered entitled to the respective proportions for the same, a sum not exceeding in the whole two hundred and fifty thousand dollars:

Provided, That any person having claim under either of the said companies, and entitled to indemnity by virtue of this act, shall receive such indemnity only in proportion to the amount of such claims: *And provided, also*, That no claim shall be allowed, or any indemnification made therefor, to any person or persons who have voluntarily surrendered the evidence of their claims to the said lands under the act of Georgia of the thirteenth of February, one thousand seven hundred and ninety-six, or under any subsequent act of the said State, and which, at the time of the surrender, would have vested the title in such claimants, had the title from Georgia been valid, or who have received the money deposited as the consideration of the purchase of said lands thus surrendered; but all such lands shall be deemed and taken to be vested in the United States, exonerated and discharged from all such claims, without any further surrender or release whatever, and the dividends to be made to claimants who shall be entitled to the benefits of this act shall be lessened in proportion to the claim so surrendered or withdrawn: *And provided, also*, That no person or persons, nor the agent or trustee of any person or persons, shall be entitled to the benefits of this act, who, by himself, herself, or themselves, or by his, her, or their agent, or by any person or persons with privity and consent of him, her, or them, shall have taken, received, or withdrawn, from the treasury of the State of Georgia, any sum or sums of money which had been paid and deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons, at the time of the taking, receiving, or withdrawing of the said money, was or were not the bonafide claimant or claimants of the lands for the purchase of which the said money had been deposited: but all and every the share or shares of such person or persons so fraudulently drawing the money as aforesaid, as may be found to have been claimed by such person or persons, at the time of recording in the office of the Secretary of State the evidences of their claim or claims, shall be vested in the United States, and the dividends to be made to the claimants entitled to the benefits of this act shall be lessened in proportion thereto: *And provided, also*, That each and every person, before receiving the certificates of stock aforesaid, shall, after the two foregoing provisoes have been read to him, take and subscribe the following oath, viz: "I, A B, do solemnly swear, or affirm, (as the case may be,) that I have not, nor has any person for whose interest I now act, either as agent or trustee, or as executor, administrator, or heir at law, done and performed any act which, by the tenor of the two provisoes I have heard

Proviso; persons entitled to indemnity, etc. are to receive it only in proportion, etc.

Proviso; no claim allowed, etc. to persons who have voluntarily surrendered the evidence of their claims, etc.

Proviso; no persons entitled to the benefit of this act, who have withdrawn from the treasury of Georgia any sum which had been paid as the consideration of the purchase of the lands, and who were not, at the time, bonafide claimants of the lands, etc.

Proviso; every person, before receiving the certificates of stock, etc. to take and subscribe an oath.

Form of the oath.

read to me, would disqualify me from receiving the indemnity afforded by the provisions of this act."

The certificates of stock to be received in payment for public lands, etc. provided, etc.

Proviso: persons making payment for lands in certificates, not entitled to discount, etc.

After sufficient releases from claimants have been lodged in the office of the Secretary of State, etc. all sums remaining in the possession of Georgia, etc. to be set over and paid, by the commission'rs, to that State, etc.

*See appendix No. 3.

Persons who, in pursuance of any act of Georgia, have withdrawn from the treasury of that State money deposited as the consideration of the purchase, etc., and who were not bonafide claimants of the lands, etc., to be deemed to have received the amount for the use of the United States, and holden liable to refund, etc.

The commissioners directed to investigate, etc., cause suits to be commenced, etc.

SEC. 4. *And be it further enacted*, That the said certificates of stock shall be receivable in payment of the public lands to be sold, after the date of such certificates, in the Mississippi Territory: *Provided*, That on every hundred dollars to be paid for such land, ninety-five dollars shall be receivable in said certificates, and five dollars in cash: *Provided*, That no person or persons making payment for lands in certificates authorized to be issued by this act shall be entitled to the discount for prompt payment now allowed by law to purchasers of public lands.

SEC. 5. *And be it further enacted*, That from and after such sufficient releases from the claimants to the United States shall be lodged in the office of Secretary of State, as is hereinbefore provided in this act, all such sum or sums of money remaining in the possession of the State of Georgia, which may have been deposited as the consideration of the purchase of the said lands, together with such interest, if any there be, as may have accrued thereon, shall be set over and paid by the said commissioners to the State of Georgia, in part payment of the one million two hundred and fifty thousand dollars stipulated to be paid by the articles of agreement and cession between the United States and the State of Georgia.*

SEC. 6. *And be it further enacted*, That if any person or persons, in pursuance of the act of the State of Georgia of the thirteenth of February, one thousand seven hundred and ninety-six, or of any subsequent act, shall have taken, received, or withdrawn, from the treasury of the State of Georgia, any sum or sums of money which had been paid or deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons, at the time of receiving or withdrawing said sum or sums of money as aforesaid, were not the bonafide claimants of the lands for the purchase of which said money had been paid or deposited, or if such person or persons had not, at the time, the legal title vested in them, supposing the title of Georgia to have been valid, every such person or persons who shall have taken, received, or withdrawn the money, as aforesaid, shall be deemed and adjudged to have had and received the same to and for the use of the United States, and shall be, and hereby are declared to be, holden and liable to refund and pay to the United States, or to the treasury of the State of Georgia for the use of the United States, all such sum or sums of money, so had and received as aforesaid, with legal interest from the time she or they so received the same. And the aforesaid commissioners shall be, and they are hereby, further authorized and directed to examine into and investigate all cases coming within the purview of this section, and to claim such sum or sums of money to be paid to the United States as to them shall appear just and reasonable;

and, in case of refusal to pay the same, to direct suits to be commenced for the recovery of the same, in such form and manner as shall be thought most advisable, making plaintiff or complainant, as they shall think best, either the United States, the claimants who shall have transferred to the United States their right of action against the aforesaid persons, or the State of Georgia as bailee of the money so taken, received, and withdrawn from the treasury of the said State: *Provided*, That if it should be thought advisable to institute the suits for the recovery of the moneys aforesaid in the name of the State of Georgia, or of its proper officers, the consent thereto from the proper authority of the State of Georgia shall be first had and obtained: *And provided, also*, That the said suits shall be conducted at the proper expense of the United States.

Proviso; as to authority from Georgia, if suits for the money are instituted in the name of that State.

Proviso; the suits to be conducted at the expense of the United States.

The President authorized to apply to the Governor of Georgia for vouchers and testimony, etc.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to apply to the Governor of the State of Georgia for all such vouchers and testimony, within archives or treasury of the said State, as may be necessary for carrying into effect the provisions of this act.

When the legal estate in any of the lands is vested in minors, the guardians may execute the release, etc.

SEC. 8. *And be it further enacted*, That whenever the legal estate in any of the said lands (supposing the said act of the Legislature of the State of Georgia of the seventeenth of January, seventeen hundred and ninety-five, had been valid and effectual) shall be vested in any person or persons who, at the time of the passing of this act, shall be under the age of twenty-one years, it shall be lawful for the guardian or guardians of such person or persons, appointed in pursuance of the laws of the respective States in which such person or persons shall reside, to execute, for and in behalf of such person or persons, and deposite in the office of the Secretary of State of the United States, the release, assignment, and power, mentioned in the first section of this act; which said release, assignment, and power, so executed and deposited as aforesaid, are hereby declared to be good and effectual, to all intents and purposes; and that in case of *femes covert* claiming lands under the act, or pretended act, of the State of Georgia aforesaid, passed the seventh of January, seventeen hundred and ninety-five, it shall be lawful for the husband and wife to join in the execution of the release, assignment, and transfer, mentioned in the first section of this act, and that such release, assignment, and transfer, shall be good and effectual as to the interest of such wife: *Provided*, That the release, assignment, and transfer, executed as aforesaid, shall be acknowledged before a judge or justice of a court of record, and shall have the attestation of such judge or justice, certifying that, on the separate examination of the wife, she had acknowledged that she had freely and voluntarily executed the same.

In the case of femes covert, the husband and wife may join in the execution of the release, etc.

Proviso; the release, etc. to be acknowledged before a judge or justice of a court of record, etc.

SEC. 9. *And be it further enacted*, That if any person or persons, claiming lands under the aforesaid act, or pretended

Persons refusing to compromise, etc. barred, etc.

act, of the State of Georgia, passed January seventh, seventeen hundred and ninety-five, shall neglect or refuse to compromise and make settlement of all such claim or claims, in conformity with the provisions of this act, the United States shall be, and hereby are declared to be, exonerated and discharged from all such claim or claims, and the same shall be forever barred; and no evidence of any such claim or claims shall be admitted to be pleaded, or allowed to be given in evidence, in any court whatever, against any grant derived from the United States.

Approved, March 31, 1814.

[See Part II, No. 109.]

CHAP. 162.—An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person or persons, or the legal representatives of any person or persons, claiming lands in the State of Louisiana, or the Territory of Missouri, by virtue of any incomplete French or Spanish grant or concession, or any warrant or order of survey, which was granted prior to the twentieth of December, one thousand eight hundred and three, for lands lying within that part of the State of Louisiana which composed the late Territory of Orleans, or which was granted for lands lying within the Territory of Missouri, before the tenth day of March, one thousand eight hundred and four, and where the claimant, or the person under whom he claims, were resident in the province of Louisiana at the respective times aforesaid, or at the time the said concession, warrant, or order of survey, was granted, and whose claims have been filed with the proper register or recorder of land titles according to law, and are embraced in the report of the commissioners, or register, or recorder, for the district within which the lands claimed do lie, in every case where it shall appear, by the said report of the commissioners, register, or recorder, that the concession, warrant, or order of survey, under which the claim is made, contains a special location, or had been actually located or surveyed, within the late Territory of Orleans, before the twentieth day of December, one thousand eight hundred and three, or actually located or surveyed, within the Territory of Missouri, before the tenth day of March, one thousand eight hundred and four, by a surveyor duly authorized by the Government making such grant, such persons shall be, and they are hereby, confirmed in their claims: *Provided,* That no claim shall be confirmed by this section which shall have been adjudged, by either of the boards of commissioners, or a register, or receiver of public moneys, or a recorder acting as such, to be antedated or

Persons, etc. claiming lands in the State of Louisiana, or Territory of Missouri, by virtue of any incomplete French or Spanish grant, etc. prior to the 20th of Dec. 1803, for lands in the Territory of Orleans, or before the 10th of March, 1804, for lands lying within the Territory of Missouri, where the claimants were resident, etc. and whose claims have been filed, etc. confirmed, etc.

Provided; no claim to be confirmed if adjudged to be fraudulent.

otherwise fraudulent; nor any one to claim a greater quantity of land than the number of acres contained in one league square, nor the claim of any person, in his own right, who has received, in his own right, a donation grant from the United States, in said State or Territory: *And provided, also,* That no confirmation made by this section shall affect the rights of any person claiming the same lands, or any part thereof, whose claim has been confirmed by a board of commissioners for ascertaining and adjusting claims to land in said State or Territory, nor preclude a judicial decision between private claimants in such interfering claims.

No one to claim a greater quantity than one league square, etc.

Proviso; no confirmation by this section to affect the rights of persons claiming the same lands, etc., nor to preclude a judicial decision, etc.

SEC. 2. *And be it further enacted,* That every person or persons claiming lands in the said State or Territory, by right of donation under any former laws, whose claims are contained in the report of any of the boards of commissioners, or the report of the register and receiver of public moneys, or of the recorder of land titles, made, or hereafter to be made, under existing laws, and which claims shall appear by the said reports not to have been confirmed, merely because the tracts claimed were not inhabited on the twentieth of December, one thousand eight hundred and three, such person or persons shall be, and they are hereby, confirmed in their respective claims: *Provided,* That in every other respect such claims shall be embraced by the provisions, and conform to the limitations and restrictions, prescribed by former laws for granting the right of donations in the said State and Territory.

Persons claiming lands, etc. by right of donation under former laws, whose claims are contained in the reports of any of the boards, etc. etc. and not confirmed because the tracts were not inhabited, etc. confirmed, etc.

Proviso; in every other respect the claims to conform to the limitations, etc. of former laws, etc.

SEC. 3. *And be it further enacted,* That it shall be the duty of the several registers of the land offices, and of the recorder of land titles, in the State or Territory aforesaid, with whom the claims in their respective districts have been entered, which are confirmed by this act, in all cases where the land has not been surveyed according to law, to make out, for the principal deputy surveyor of the district in which the land lies, an order of survey for each tract of land confirmed under this act, with a proper description of the tracts to be surveyed, wherein the quantity, locality, boundaries, and connexion, when practicable, with each other, and the tracts which have been heretofore confirmed, shall be stated; and on the return of the plat of survey, or where an order of survey is not necessary, the said register or recorder of land titles shall, on application for that purpose, make out, for each claimant entitled thereto by the provisions of this act, a certificate of confirmation, directed to the Commissioner of the General Land Office; and if [it] shall appear, to the satisfaction of said Commissioner, that such certificate shall have been fairly obtained, according to the true intent and meaning of this act, then and in that case patents shall be granted in like manner as is provided by law for the other lands of the United States. And the said register or recorder shall be entitled to receive, from the person applying therefor, where he shall have previously issued an order of survey, for such order of

The registers of the land offices etc., with whom the claims have been entered, etc. where the land has not been surveyed, to make out an order of survey for each tract confirmed, with a proper description, etc.

On the return of the plat of survey, or, etc. the register, etc. to make out, on application, a certificate of confirmation, etc.

Patents to be granted, etc.

Fees to the register or recorder, etc.

survey and certificate, the sum of one dollar and fifty cents, and for each certificate, without an order of survey, the sum of one dollar.

The principal deputy surveyor, etc. to survey, etc. the tracts of land confirmed by this act, the fees being first received.

SEC. 4. *And be it further enacted*, That it shall be the duty of the principal deputy surveyor, on receiving an order of survey from the register or recorder of land titles, and the surveying fees from the claimant, which shall not exceed three dollars for every mile to be surveyed and marked, to survey or cause to be surveyed, under the direction of the surveyor general, or surveyor of the lands south of the State of Tennessee, the several tracts of land confirmed by this act; and the said principal deputy surveyor shall make return of the surveys, in separate plats, to the register or recorder of the district within which the land lies, and also transmit to the surveyor general, or surveyor of the lands south of the State of Tennessee, as the case may be, a plat or plats of the surveys directed to be made by this section, who shall, respectively, transmit copies thereof to the Commissioner of the General Land Office. (1)

The principal deputy surveyor to make return of the surveys, in separate plats, to the register, etc. of the district, and transmit a plat to the surveyor general, etc.

Persons, etc. who have actually inhabited and cultivated a tract of land in the State of Louisiana, etc. or Territory of Missouri, not rightfully claimed by any other person, etc. entitled to the right of pre-emption, etc.

SEC. 5. *And be it further enacted*, That every person, and the legal representatives of every person, who has actually inhabited and cultivated a tract of land lying in that part of the State of Louisiana which composed the late Territory of Orleans, or in the Territory of Missouri, which tract is not rightfully claimed by any other person, and who shall not have removed from said State or Territory, shall be entitled to the right of pre-emption in the purchase thereof, under the same restrictions, conditions, provisions, and regulations, in every respect, as is directed by the act entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois Territory,"* passed February fifth, one thousand eight hundred and thirteen.

*Ante, ch. 149.

Approved, April 12, 1814.

(1) See Part II, Nos. 15, 42, 56, 57, 58, 59, 60, 64, 72, 77, 88, 93, 260. [See Part II, Nos. 19, 20, 22, 111, 243, 244, 247, 261, 286, 293, 309, 478, 498, 564, 600, 678, 680, 685, 695, 696, 817, 820, 822, 826, 827, 829, 831, 839, 840.]

†See amendatory act, etc. of 27th Feb. 1815, chap. 176.

CHAP. 168.—An act confirming certain claims to land in the Illinois Territory, and providing for their location.†

The decisions made by the commissioners appointed in pursuance of the act mentioned, where such decisions were in favor, etc. as entered in the report to the Secretary of the Treasury of the 4th Jan. 1813, confirmed.

†Ante, chap. 123.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the decisions made by the commissioners, (appointed in pursuance of the act entitled "An act for the revision of former confirmations, and for confirming certain claims to land in the district of Kaskaskia,"† passed the twentieth day of February, one thousand eight hundred and twelve,) where such decisions were in favor of the claims, and where the commissioners have reported specially, and have not rejected the claims; all such claims, as entered in

their report to the Secretary of the Treasury bearing date the fourth day of January, one thousand eight hundred and thirteen, shall be, and the same are hereby, confirmed.

SEC. 2. *And be it further enacted,* That all the claims contained in a list transmitted to the Secretary of the Treasury by Michael Jones, one of the commissioners aforesaid, bearing date the eighteenth day of January, one thousand eight hundred and thirteen, shall be, and the same hereby are, confirmed: *Provided,* That any person who may have received a militia right shall not receive, in addition thereto, more than three hundred acres of land by virtue of this section; and it shall be the duty of the Commissioner of the General Land Office to enter the list aforesaid of record in his office: *And provided, also,* That nothing in this act shall prevent or bar a judicial decision between persons claiming the same original title or claim.

All the claims contained in a list transmitted to the Secretary of the Treasury, by Michael Jones, etc. confirmed.

Proviso: any person who has received a militia right, not to receive, in addition, more than 300 acres, etc.

Proviso: nothing in this act to prevent a judicial decision, etc.

SEC. 3. *And be it further enacted,* That all that tract of land included within the following boundary, viz: beginning at the township line nearest to and above the mouth of Big Muddy river, on the Mississippi river; thence, east, to the meridian line running from the mouth of the Ohio river; thence, north, with the said meridian line, to the north boundary line of township number five, north; thence, west, to the Mississippi river; thence, down the same, to the beginning; shall be, and the same hereby is, reserved and set apart to satisfy the unlocated claims of persons to land within the Illinois Territory, confirmed to them heretofore or by this act.

The tract of land within the boundary described, set apart to satisfy the unlocated claims of persons to land within the Illinois Territory, heretofore confirmed to them, etc.

SEC. 4. *And be it further enacted,* That any person or persons residing within the tract reserved by this act, and who had actually cultivated or improved any tract of land therein, before the fifth day of February, one thousand eight hundred and thirteen, not rightfully claimed by any other person, shall be entitled to a pre-emption in the purchase of such tract of land, including the improvement: *Provided,* That the purchaser shall not enter less than one quarter section or more than one section. And any person claiming a pre-emption in the purchase under this act, who may be the owner of any unlocated confirmed claim which may be located within the tract aforesaid, shall be, and is hereby, authorized to deliver to the receiver of public money, for the district within which the land lies, the evidences of his or their claim, which shall be received as payment for the quantity of land such person or persons would have been entitled to locate by virtue thereof; and in all cases where the land purchased shall not be completely paid for by the evidences of confirmed claims, the residue of the land shall be paid for at the same price, in the same manner, under the same restrictions, and liable to the same forfeiture, as other public lands sold at private sale. (1)

Persons residing within the tract reserved, etc., who had actually improved the land before the 5th Feb. 1813, etc., entitled to pre-emption, etc.

Proviso: the purchaser not to enter less than a quarter, nor more than one, section.

Persons claiming pre-emption under this act, etc. may deliver to the receiver of public money, etc. the evidences of claim, which shall be received as payment, etc.

(1) See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 222, 223, 244, 245, 260.

The register of the land office for the district of Kaskaskia to give notice, etc.

Persons failing or refusing to enter the land, on or before the 1st Oct. 1814, lose the right of pre-emption.

After the 1st Oct. 1814, the owners of unlocated confirmed claims may enter, with the register of the Kaskaskia district, not exceeding one quarter sec. more, etc., and the evidence of their claims to be received in payment, etc.

If two or more persons apply at the same time, to enter the same tract, the priority to be decided by lot, etc.

Persons failing or refusing to enter their claims, etc. on or before the 1st May, 1815, to forfeit all right or claim, etc.

The register for Kaskaskia district to make out certificates of confirmation, etc.

The certificate to specify the quantity of land, etc.

75 cents to the register for each certificate.

Patents to be obtained, etc. as provided by law for other public lands.

SEC. 5. And be it further enacted, That it shall be the duty of the register of the land office for the district of Kaskaskia to give notice that all persons entitled to a pre-emption in the purchase of any tract of land by virtue of this act may make such purchase, on application to him at his office, on or before the first day of October next; and any person failing or refusing to enter with the register of the land office the land by such person improved, on or before the first day of October next, shall lose the right of pre-emption given by this act.

SEC. 6. And be it further enacted, That, after the first day of October next, it shall be lawful for any person or persons, being the owner of any unlocated confirmed claim, to enter, with the register of the land office for the Kaskaskia district, any quantity of land within the reserved tract aforesaid, not exceeding one quarter section more than the quantity of acres contained in his claim or claims, and to deliver, to the receiver of public money, the evidence of his claim, which shall be received in payment for the number of acres specified therein; and the residue of the land thus entered, which may exceed the amount of confirmed claims thus paid in, shall be paid for at the same price and in like manner as the other public lands of the United States sold at private sale. And if two or more persons shall make applications, at the same time, to enter the same tract or tracts of land, the priority of right to enter shall be decided by lot, in the presence of the register of the land office; and any person or persons failing or refusing to enter or locate his claim within the reserved tract aforesaid, according to the provisions of this act, on or before the first day of May, one thousand eight hundred and fifteen, shall forfeit all right or claim against the United States, derived from confirmations under this act or any former law.

SEC. 7. And be it further enacted, That it shall be the duty of the register of the land office for the Kaskaskia district to make out a certificate of confirmation to each person whose claim or claims are confirmed by this act, or by any former law, within the Territory of Illinois; and such certificate shall specify the quantity of land confirmed to the holder thereof, and shall be sufficient evidence of claim, within the meaning of this act, to entitle the owner or holder thereof to a credit, with the receiver of public moneys, for the quantity of land mentioned in such certificate, within the reserved tract aforesaid; and the register of the land office shall receive the sum of seventy-five cents from the person demanding and receiving such certificate.

SEC. 8. And be it further enacted, That patents shall be obtained for lands entered under this act, in the reserved tract aforesaid, in the same manner and on the same terms as are provided by law for other public lands of the United States.

Approved, April 16, 1814.

[See Part II, No. 660.]

CHAP. 164.—An act extending relief to certain purchasers of public lands in the Mississippi Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person or persons having purchased lands of the United States, in the Mississippi Territory, who have been subjected to prosecutions by adverse claimants, who derived their titles from a Spanish grant, warrant, or order of survey, and where such prosecutions have terminated favorably to purchasers from the United States, such purchasers shall have one year, from the first day of June next, for the payment of any interest that may be due from them to the United States, on the purchases aforesaid.

Approved, April 18, 1814.

Persons having purchased lands of the United States, in the Mississippi Territory, and subjected to prosecutions by adverse claimants, deriving from a Spanish grant, &c. allowed a year, from the 1st June, 1814, for the payment of interest, etc.

CHAP. 165.—An act supplemental to an act entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans."*

*See original act, of 26th April, 1812; ante, chap. 135.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time for delivering notices and the evidences of claims to lands, as required by the act to which this is a supplement, be, and the same hereby is, extended until the first day of September next.

The time for delivering notices, etc. of claims, &c. extended to the 1st Sept. 1814.

SEC. 2. *And be it further enacted*, That it shall be the duty of the commissioners appointed under the act aforesaid to receive such evidences as to them may be offered in support of any claims which may not be embraced by said act, and to report the same, together with those referred to in the first section of this act, on or before the first day of November next, to the Commissioner of the General Land Office, to be by him laid before Congress at their next session.

The commissioners appointed under the act referred to, &c. are to receive evidences offered, &c., and report them to the Commissioner of the General Land Office, etc.

SEC. 3. *And be it further enacted*, That the commissioner for the district east of Pearl river and west of the Perdido be, and he is hereby, authorized and required to receive and make report, as aforesaid, on all claims to lands lying east of the river Tombigbee.

The commissioner for the district east of Pearl river, &c. required to receive and make report on all claims to lands east of the Tombigbee.

Approved, April 18, 1814.

[See Part II, Nos. 19, 296, 812, 814, 822, 826, 827, 839, 831, 839, 840, 843, 844, 846, 848, 849, 852, 854, 858, 859, 860, 861, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 914, 915, 918, 929, 940, 949, 953, 955.]

CHAP. 166.—An act concerning certificates of confirmation of claims to lands in the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Where certificates of confirmation to lands lying in either of the districts of Louisiana, have been issued according to the act mentioned, &c. the certificates are to be delivered to the principal deputy surveyor of the district, who is to survey the lands at the expense of the United States, etc. make general and particular plats, and make return thereof to the proper register, and to the Commissioner of the General Land Office.

*Ante, chap. 21.

Provided; the expense of surveying not to exceed, &c.

As soon as the tracts have been surveyed, &c. the register is to issue certificates in favor of the claimants, &c.

Patents to be granted, as provided by law for other public lands, &c.

2 dolls. to the register for each patent delivered, &c.

sembled, That, in all cases where certificates of confirmation to lands, lying in either of the land districts established by law in the State of Louisiana, have been issued agreeably with the provisions of the act entitled "An act respecting claims to lands in the Territories of Orleans and Louisiana,"* passed the third March, one thousand eight hundred and seven, and which were directed to be filed with the proper register of the land office within twelve months after date, and on claims which are included in the transcript of divisions made in favor of claimants and transmitted to the Secretary of the Treasury, the said certificates shall, in every case where the lands have not been already surveyed according to law, be, by the said registers, delivered to the principal deputy surveyor of the district, together with the proper descriptions of the tracts to be surveyed, wherein the quantity, locality, and connexion, when practicable, with each other, shall be stated, at any time after the expiration of three months from the passage of this act, (unless the claimant shall otherwise specially direct,) whose duty it shall be, under the direction of the surveyor of the lands south of Tennessee, to accurately survey the land, at the expense of the United States, according to the said certificates of confirmation and description, and make general and particular plats thereof, which he shall return to the office of the proper register, together with the original certificates; and it shall be the further duty of the said surveyor to make a like return of the plats to the Commissioner of the General Land Office: *Provided*, The expense of surveying the said tracts shall not exceed that allowed by law for surveying the public lands in the said State.

SEC. 2. *And be it further enacted*, That so soon as the said tracts of land shall have been thus surveyed, and the surveys thereof returned to the office of the proper register, together with the original certificates of the commissioners, it shall be the duty of the said register to issue certificates in favor of the claimants entitled thereto, which he shall transmit to the Commissioner of the General Land Office; and if it shall appear, to the satisfaction of the said Commissioner, that the certificates have been fairly obtained, and correspond with the transcript heretofore transmitted to the Secretary of the Treasury and the plats returned by the surveyors, patents shall be granted in like manner as is provided by law for the other public lands of the United States; which patents shall be transmitted by the Commissioner of the General Land Office to the proper register, to be by him delivered to the claimants entitled thereto; and the said register, for delivering the certificates and descriptions of the tracts to the surveyor, making out and forwarding the returns to the General Land Office, and delivering the patents, shall be entitled to, and receive, from each claimant, the sum of two dollars for such patent so delivered.

Approved, April 18, 1814.

[See Part II, Nos. 19, 20, 689, 812, 814, 822, 825, 826, 827, 829, 831, 839, 840, 843, 844, 846, 848, 849, 852, 853, 854, 858, 859, 860, 861, 862, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 913, 914, 915, 918, 921, 923, 929, 940, 949, 952, 953, 954, 955.]

CHAP. 167.—An act further extending the time for locating Virginia military land warrants, and for returning the surveys thereon to the General Land Office.*

*Extended, chap. 211.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of three years, from and after the passage of this act, to obtain warrants and complete their locations, and a further term of five years, from and after the passage of this act as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the General Land Office, any thing in any former act to the contrary notwithstanding: *Provided*, That no locations, as aforesaid, within the above-mentioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered as null and void.

The officers and soldiers of the Virginia line, etc. allowed until 3d Nov. 1817, to obtain warrants, etc., and until the 3d Nov. 1819, to return their surveys, etc. to the General Land Office.

Provido; no locations, etc. to be made on tracts for which patents had previously issued, etc.

Approved, November 3, 1814.

[See Part II, Nos. 2, 35, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

CHAP. 168.—An act making further provision for filling the ranks of the army of the United States.

SEC. 4.† *And be it further enacted*, That, in lieu of the bounty of one hundred and sixty acres of land, now allowed by law, there shall be allowed to each non-commissioned officer and soldier, hereafter enlisted, when discharged from service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, three hundred and twenty acres of land, to be surveyed, laid off, and granted, under the same regulations, and, in every respect, in the manner now prescribed by law: and the widow and children, and, if there be no widow nor child, the parents of every non-commissioned officer and soldier, enlisted according to law, who may be killed or die in the service of the United States, shall be entitled to receive the three hun-

†The other sections irrelevant.

Each non-commissioned officer and soldier, hereafter enlisted, to be entitled to 320 acres of land, in lieu, etc.

The widow and children, or parents, of those who are killed or die in the service, to be entitled to land; but, etc.

dred and twenty acres of land as aforesaid; but the same shall not pass to collateral relations, any law heretofore passed to the contrary notwithstanding.*

*See chapters 228, 209, 376.

Approved, December 10, 1814.

†See original act of 13th February, 1813; ante, ch. 150.

CHAP. 169.—An act giving further time to locate certain claims to lands confirmed by an act of Congress entitled "An act confirming certain claims to lands in the district of Vincennes."†

Persons whose claims were confirmed, etc. authorized to enter their locations with the register of the land office at Vincennes, on the tract set apart, etc.

‡Ante, chap. 150.

§Ante, chap. 85.

Provided; the locations to be made prior to the 1st of July, 1815.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several persons whose claims were confirmed by the act of Congress entitled "An act confirming certain claims to lands in the district of Vincennes,"‡ approved the thirteenth day of February, one thousand eight hundred and thirteen, and which have not been located, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of an act entitled "An act respecting claims to lands in the Indiana Territory and State of Ohio,"§ and in conformity to the provisions of that act; and shall be entitled to receive their certificates and patents in the manner provided by the first-mentioned act: *Provided,* That such locations shall be made prior to the first day of July next.

Approved December 26, 1814.

CHAP. 170.—An act to provide for leasing certain lands reserved for the support of schools in the Mississippi Territory.

The county court in each county in the Mississippi Territory authorized to appoint not exceeding 5 agents who are empowered to lease the sections of land reserved for the support of schools, etc.

Proceeds of the rents to be applied to the purpose of education, so that all the citizens may partake, etc.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the county court, in each county in the Mississippi Territory, shall be, and is hereby, authorized to appoint a number of agents, not exceeding five, who shall have power to let out, on lease, for the purpose of improving the same, the sections of land reserved by Congress for the support of schools, lying within the county for which the agents, respectively, are appointed, or to let them out at an annual rent, as they shall judge proper; and it shall be the duty of the said agents, under the direction of the county courts, respectively, to apply with impartiality the proceeds arising from the rents of each section, as aforesaid, to the purpose of education, and to no other use whatsoever, within the particular township of six miles square, or fractional township, wherein such section is situated, in such manner that all the citizens residing therein may partake of the benefit thereof, according to the true intent of the reservation made by Congress.

SEC. 2. *And be it further enacted,* That for the purpose

of forming the aforesaid sections into convenient farms, the said agents shall have power to lay off the same into lots of not less than one hundred and six acres, nor more than three hundred and twenty acres, except in case of fractional sections; and in every case, whether of leases for the improvement of the lots, or for an annual rent, the lessee shall be bound, in a suitable penalty, not to commit waste on the premises, by destroying of timber or removing of stone, or any other injury to the lands whatever.

The agents may lay the sections off into lots of not less than 106, nor more than 330, acres, except, etc.

The lessee to be bound not to commit waste, etc.

SEC. 3. *And be it further enacted*, That the said agents shall have full power, within their respective counties, when and so often as they think proper, by legal process, to remove any person or persons from the possession of any of the aforesaid reserved sections, when such person or persons have not taken a lease, and refuse or neglect to take the same; and it shall, moreover, be the duty of the said agents to inspect and inquire into any waste or trespass committed on any of the reserved sections aforesaid, by cutting and carrying off timber or stone, or any other damage that may be done to the same, whether by persons residing thereon or others; and the said agents are hereby authorized, when waste or trespass shall be committed, to proceed against the person or persons committing the same, according to the laws in such case made and provided; and actions in the cases aforesaid shall be sustained by the agents, and the damages recovered shall be one half to the use of such agents, and the other half to be applied to the same purpose as the proceeds of rents from the land on which the damage was sustained.

The agents empowered to remove persons who have not taken a lease, etc. Inquire into any waste, etc.

The agents authorized to proceed against persons committing waste or trespass, etc.

One half the damages recovered to the use of the agents, etc.

SEC. 4. *And be it further enacted*, That, for each lease executed by the agents, they shall be entitled to receive the sum of two dollars, to be paid by the lessees, respectively.

\$2 to the agents for each lease, etc.

SEC. 5. *And be it further enacted*, That every lease which may be granted in virtue of this act shall be limited to the period of the termination of the territorial form of government in the said Territory, and shall cease to have any force or effect after the first day of January next succeeding the establishment of a State Government therein: *Provided*, That outstanding rents may be collected, and damages for waste or trespass may be recovered, in the same manner as if the leases had continued in full force.

Leases limited to the territorial form of government, etc.

Proviso; outstanding rents may be collected, etc. as if the leases had continued, etc.

Approved, January 9, 1815.

CHAP. 171.—An act supplementary to the act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."

*See original act, of 31st March, 1814; ante, chap. 161.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized, by and with the advice and consent

The President, etc. to appoint three persons to act as a board of commissioners, under the act mentioned, in place of the Secretary of State, etc.

of the Senate, to appoint three fit and disinterested persons, to be and act as commissioners, by virtue of an act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory,"* in the place of the Secretary of State, the Secretary of the Treasury, and the Attorney General of the United States, for the time being; and the said persons are hereby constituted and appointed a board of commissioners, any two of whom may act as a quorum, as in and by the act aforesaid is provided. Which board is hereby declared to be intended to effect the same purposes and services as the said original board; and is, in every respect, substituted for the same; and is hereby authorized to execute all the powers granted to, and directed to perform all the duties enjoined upon, the said original board of commissioners, according to the intent and provisions of the act aforesaid.†

*Ante, chap. 161.

Any two of the board to act as a quorum.

Object of the board, etc.

†See act of the 3d of March, 1815, ch. 178.

The commissioners to meet at a place within the District of Columbia, etc., and to proceed, certify, and report, etc.

SEC. 2. *And be it further enacted*, That the commissioners to be appointed in pursuance of this act shall meet at some suitable place within the District of Columbia, on the fourth Monday of January current, or as soon thereafter as may be, to enter on the duties assigned them. And that they shall proceed therein as expeditiously as may be, and from time to time shall certify and report to the President of the United States, as to the sufficiency of the releases that shall have been made, and the claims they shall have finally adjudged and allowed, agreeably to the third section of the act to which this act is supplementary.

Each commissioner to take an oath.

Form of the oath.

SEC. 3. *And be it further enacted*, That each of the said commissioners, before they proceed to execute their duties as such, shall take the following oath or affirmation, to wit: "*I, A B, do solemnly swear (or affirm) that I am not interested in the event of any decision that may be made by this board of commissioners, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member thereof; and will adjudge and determine all the matters, claims, and controversies, subject to the adjudication and determination of this board, according to the best of my abilities, agreeably to the laws of the United States and the principles of justice and equity.*"

The board may appoint a secretary; his duty, etc.

SEC. 4. *And be it further enacted*, That the said board of commissioners shall have power and authority to appoint a secretary, whose duty it shall be to receive, file, and preserve, the papers, documents, and claims, that may be presented to and received by said board of commissioners, and to enter and record all the orders, proceedings, judgments, and determinations, of said board of commissioners. And one of said commissioners shall administer an oath to such secretary, for the faithful discharge of his duty. And there shall be allowed and paid, out of the Treasury of the United States, to each of the said commissioners, as well as to the secretary by them to be appointed, as a compensation for

An oath to be administered to the secretary.

\$1,500 to each commissioner and the secretary.

their respective services under this act, and in full for the same, the sum of fifteen hundred dollars.

SEC. 5. *And be it further enacted*, That further time be, and hereby is, allowed to deposite in the office of the Secretary of State releases to the United States of claims under the act, or pretended act, of the State of Georgia, passed on the seventh day of January, seventeen hundred and ninety-five, and assignments of rights or claims to moneys paid into the treasury of the State of Georgia, and power to sue therefor; and also for recording, in the office of the Secretary of State, any deed or evidence of any title or claim that hath been released to the United States, or that shall be released on or before the day hereby appointed, to wit: the third Monday in March next. And so much of the act of Congress passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands of the United States south of the State of Tennessee,"* and so much of the act to which this is supplementary,† as exclude claimants from recording their claims after the first day of January, one thousand eight hundred and four, be, and the same are hereby, repealed.

Further time allowed to deposite releases in the office of the Secretary of State, etc. and for recording, etc.

So much of the acts mentioned as excludes claimants from recording, etc. after the 1st Jan. 1804, repealed.

*Chapter 62.

†Ante, chap. 161.

SEC. 6. *And be it further enacted*, That the said commissioners be, and hereby are, authorized and empowered to consider and determine all claims that shall have been duly released to the United States on or before the said third Monday of March, which may be made and preferred by assignees of bankrupts, or executors or administrators on estates of deceased persons, which may be insolvent and subject to distribution among the creditors of the persons so deceased.

The commissioners empowered to determine all claims duly released, made by assignees of bankrupts, etc.

Approved, January 23, 1815.

[See Part II, No. 109.]

CHAP. 172.—An act attaching to the Canton district, in the State of Ohio, the tract of land lying between the foot of the rapids of the Miami of Lake Erie and the Connecticut Western Reserve.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all that tract of land lying between the foot of the rapids of the river Miami of Lake Erie and the western line of the Connecticut Reserve, in the State of Ohio, which was ceded to the United States by certain tribes of Indians, at a treaty concluded at Brownstown, in the Michigan Territory, on the twenty-fifth day of November, one thousand eight hundred and eight, shall be attached to and made a part of the district of Canton.

The tract of land described, attached to the district of Canton.

SEC. 2. *And be it further enacted*, That in surveying and dividing the lands by this act attached to the district of Canton, the ordinary mode of surveying the publiclands shall be so

In surveying, etc. the lands described, the ordinary mode to be deviated from, so far, etc.

far deviated from, that the boundary lines of the tracts to be laid off therein shall be run parallel to and at right angles with the road laid out in conformity with the said treaty, and in every other respect the surveys shall be made in the same manner and for the same compensation allowed for the surveying the other public lands northwest of the river Ohio.

The lands to be offered to the highest bidder, etc. as the President may designate by proclamation; the sales to remain open one week, etc.

SEC. 3. *And be it further enacted*, That all the lands by this act attached to the district of Canton shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public moneys of the said district, at such time and place as the President of the United States shall designate by proclamation for that purpose; and the sales shall remain open one week, and no longer; and the said lands shall, in every respect, be sold on the same terms and conditions as have been provided for the sale of other lands of the United States. All the lands in the said tract, remaining unsold at the close of the said sales, may be disposed of at private sale by the register of the land office of the said district, on the same terms and conditions as are provided for the sale of other public lands in the same district; and patents shall be obtained in the same manner as in case of other lands of the United States.

Lands remaining unsold, may be disposed of at private sale, etc.

Patents, etc.

\$4 to register and receiver for each day's attendance, etc.

SEC. 4. *And be it further enacted*, That the aforesaid register and receiver of public moneys shall each receive four dollars per day for each day's attendance on the public sales directed by this act.

Approved, February 4, 1815.

[See Part II, Nos. 64, 775, 776.]

CHAP. 173.—An act for giving further time to the purchasers of public lands to complete their payments.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who, after the first day of April, one thousand eight hundred and ten, and prior to the first day of April, one thousand eight hundred and eleven, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, at any of the land offices of the United States, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase-money, shall be, and they hereby are, allowed the further time of three years, from and after the expiration of the period already given by law,* for completing the payment of the purchase-money aforesaid; which further time of three years shall be allowed only on the following conditions: First, all arrears of interest on the purchase-money shall be paid on or before the expiration of the time for completing the payment of the

Persons who, after the 1st April, 1810, and prior to the 1st April, 1811, had purchased not exceeding 640 acres, and whose lands have not been sold or reverted, etc. allowed the further time of three years, etc. for completing payment, etc.

*See ante, chapter 168.

Conditions, etc.
1. Arrears of interest to be paid, etc.

purchase-money according to former laws: *Provided*, That in all cases in which the time for completing the payment of the purchase-money may have expired, or shall expire before the first day of June next, the interest may be paid on or before that day. Second, the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in three equal annual payments, as follows, viz: one third of the said sum, with the interest due thereon, within one year; one third of the said sum, with the interest due thereon, within two years; and the residue, with the interest due thereon, within three years, after the expiration of the time for completing the payments on such purchases according to law. And in case of failure to pay the arrears of interest, or any of the three instalments of principal, with the accruing interest, at the time above mentioned, the tract of land shall be forthwith advertised and offered for sale, in the manner and on the terms directed by law in case of lands not paid within the time limited by law, and shall revert to the United States in like manner if the same is not sold at such sale.

Provided; as to the payment of interest on or before the 1st June, 1815.

2. The residue of the sum due, etc. to be paid, with interest, in three equal annual payments, etc.

In case of failure to pay, etc. the land to be advertised and offered for sale, etc.

Approved, February 4, 1815.

[See Part II, No. 13.]

CHAP. 174.—An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person or persons owning lands in the county of New Madrid, in the Missouri Territory, with the extent the said county had on the tenth day of November, one thousand eight hundred and twelve, and whose lands have been materially injured by earthquakes, shall be, and they are hereby, authorized to locate the like quantity of land on any of the public lands of the said Territory, the sale of which is authorized by law: *Provided*, That no person shall be permitted to locate a greater quantity of land, under this act, than the quantity confirmed to him, except the owners of lots of ground or tracts of land of less quantity than one hundred and sixty acres, who are hereby authorized to locate and obtain any quantity of land, not exceeding one hundred and sixty acres, nor shall any person be entitled to locate more than six hundred and forty acres, nor shall any such location include any lead mine or salt spring: *And provided, also*, That in every case where such location shall be made according to the provisions of this act, the title of the person or persons to the land injured as aforesaid shall revert to, and become absolutely vested in, the United States.

Persons owning lands in the county of New Madrid, etc. materially injured by earthquakes, authorized to locate the like quantity on any public lands in the Missouri Territory, etc.

Provided; as to the quantity allowed to be located.

Lead mines and salt springs excepted.

Provided; the title to the land injured to revert to the U. States.

SEC. 2. *And be it further enacted*, That whenever it shall appear to the recorder of land titles for the Territory of Missouri, by the oath or affirmation of a competent witness or witnesses, that any person or persons are entitled to

When it appears to the recorder, by the oath, etc. that any persons are entitled to a tract under this act, he is to issue a certificate, etc.

A survey to be made, and plat returned, etc.

Plat, etc. to be recorded.

Compensation to the recorder and surveyor.

The recorder to transmit a report of the claims allowed, etc. to the Commissioner of the General Land Office, etc.

The recorder to issue a certificate, etc.

Patent, etc.

a tract or tracts of land under the provisions of this act, it shall be the duty of the said recorder to issue a certificate thereof to the claimant or claimants; and upon such certificate being issued, and the location made, on the application of the claimants, by the principal deputy surveyor for said Territory, or under his direction, whose duty it shall be to cause a survey thereof to be made, and to return a plat of each location made to the said recorder, together with a notice, in writing, designating the tract or tracts thus located, and the name of the claimant on whose behalf the same shall be made; which notice and plat the said recorder shall cause to be recorded in his office, and shall receive from the claimant, for his services on each claim, the sum of two dollars, for receiving the proof, issuing the certificate, and recording the notice and plat as aforesaid; and the surveyor shall be entitled to the same compensation for his services from the party applying as is allowed for surveying the public lands of the United States.

SEC. 3. *And be it further enacted,* That it shall be the duty of the recorder of land titles to transmit a report of the claims allowed and locations made, under this act, to the Commissioner of the General Land Office, and shall deliver to the party a certificate, stating the circumstances of the case, and that he is entitled to a patent for the tract therein designated, which certificate shall be filed with the said recorder within twelve months after date, and the recorder shall thereupon issue a certificate in favor of the party, which certificate, being transmitted to the Commissioner of the General Land Office, shall entitle the party to a patent, to be issued in like manner as is provided by law for other public lands of the United States.

Approved, February 17, 1815.

[See Part II, Nos. 10, 11, 12, 15, 17, 23, 62, 225, 246, 247, 256, 294, 695, 786, 787, 797, 800, 811, 974, 1,018.]

CHAP. 175.—An act giving further time to complete the surveys and obtain the patents for lands located under Virginia resolution warrants.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers and soldiers of the Virginia line on continental establishment, or their legal representatives, to whom land warrants have issued by virtue of any resolution of the Legislature of Virginia, as a bounty for services which, by the laws of Virginia passed prior to the cession of the Northwestern Territory to the United States, entitled such officers or soldiers to bounty lands, and whose location of such warrants shall have been made prior to the twenty-third day of March, one thousand eight hundred and eleven, shall be allowed the further time of two years from the pass-

Officers and soldiers of the Virginia line on continental establishment, to whom land warrants have issued by virtue of any resolution of the Legislature of Virginia, etc., whose locations have been made prior to the 23d of March, 1811, allowed until the 23d of February, 1817, to complete their surveys, etc., provided, etc.

ing of this act to complete their surveys and obtain their patents for the land located as aforesaid : *Provided*, That surveys shall be made and patents granted, on the aforesaid locations, under the same regulations, restrictions, and provisions, in every respect, as were prescribed for the making of surveys and granting of patents by the act entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants,"* * Ante, chap. 89.
passed on the third day of March, one thousand eight hundred and seven.

Approved, February 22, 1815.

[See Part II, Nos. 2, 37, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 176.—An act to amend and extend the provisions of the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location."†

†See original act, ante, chap. 163.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the western boundary of the tract of country set apart by the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location,"‡ be extended upon the river Mississippi, to the middle thereof, so as to include all islands in said river, between the middle and eastern margin, throughout the length of said line; and that all or any of the said islands shall be subject to be appropriated under the said recited act.

The western boundary of the tract set apart by the act confirming certain claims to land in the Illinois, &c. extended to the middle of the Mississippi, &c.

‡Ante, chap. 163.

SEC. 2. *And be it further enacted*, That the proviso contained in the fourth section of the before-recited act be repealed, so far as it regards persons settled on fractions of sections, or quarter sections containing less than one hundred and sixty acres; and that such persons, under the like circumstances, shall be considered as entitled to all the rights, benefits, and advantages, specified in the said fourth section, as those settled on sections or quarter sections, and also to any right, privilege, or advantage, secured by this act : *Provided, however*, That such persons shall not be permitted, in such cases, to take less than the whole quantity of such fractional quarter section on which they are respectively settled.§

The proviso contained in the 4th sec. of the act referred to, repealed, so far, &c.

Persons settled on fractions of sections, &c. entitled to all the rights specified, &c.

Proviso; the persons settled, &c. not permitted to take less than the whole of the fractional quarter section, &c.

§See chap. 168, section 3.

SEC. 3. *And be it further enacted*, That every person or persons who settled on and improve any of the lands in the said Territory, reserved for the use of schools or seminaries of learning, before the fifth day of February, one thousand eight hundred and thirteen, and who would have had the right of pre-emption thereto had not the same been reserved as aforesaid, shall be entitled to the pre-emption of the like quantity of other land, upon the same terms and under the same restrictions provided by the fourth section of the said

Persons who settled on and improve any of the lands in the Illinois Territory, reserved for schools, &c. before the 5th Feb. 1813, and who, &c. entitled to the pre-emption of the like quantity of other land, upon the same terms, &c.

recited act, to be located on any lands within the boundary specified in this and the said recited act, not otherwise appropriated; and such persons shall also be entitled to the benefit of and subject to the restrictions contained in this act.

Persons entitled to the pre-emption of lands, under the 4th sec. of the act referred to, who failed to locate their claims, etc. entitled to the pre-emption of the like quantity, &c.

*Ante, chap. 163.

SEC. 4. *And be it further enacted*, That all and every person or persons entitled to the pre-emption of lands, under the fourth section of the before-recited act,* who failed to locate their claims within the time limited in said act, and which lands have been appropriated by others, shall be entitled to the pre-emption of the like quantity as they could have appropriated under the said act, or under the provisions of this act, to be located on any land within the boundary specified in this and the said recited act, not previously appropriated.

Persons entitled to pre-emption under this act, to conform to the provisions of the act referred to, except, &c.

†Ante, chap. 163.

SEC. 5. *And be it further enacted*, That all and every person or persons, entitled to the pre-emption of lands under the provisions of this act, shall conform to and be governed by the rules prescribed in the said recited act,† in locating, proving, and completing their titles, respectively, except in cases where the same is changed by this act.

The register for the district of Kaskaskia to give notice, &c.

SEC. 6. *And be it further enacted*, That it shall be the duty of the register of the land office for the district of Kaskaskia to give notice, by an advertisement inserted for one month in at least one newspaper published in the said Territory, to all persons entitled to a pre-emption in the purchase of any tract of land, by virtue of this or the before-recited act, that they may make such purchase, on application to him at his office, on or before the first day of May, in the year one thousand eight hundred and sixteen; and every person failing or refusing to enter, with the said register, the land to which the right of pre-emption is so secured, notice being given as before mentioned, within the time aforesaid, shall lose his, her, or their, right of pre-emption.

Persons failing or refusing to enter the land with the register, lose their right, &c.

The locations of any confirmed claim, made, &c. confirmed.

SEC. 7. *And be it further enacted*, That the locations of any confirmed claim, made by virtue of any authority given by the commissioners appointed to examine the claims of persons to land in the Illinois Territory, shall be, and the same are hereby, confirmed: *Provided*, That the provisions of this section shall not be so construed as to extend to any locations made by any person or persons without any authority from the commissioners aforesaid; nor shall it affect the claims of any other person or persons.

proviso; the provisions of this section not to extend to locations made without authority from the commissioners, nor, &c.

The register and receiver at Kaskaskia allowed the same commission on confirmed claims as on moneys for lands sold, &c.

SEC. 8. *And be it further enacted*, That the register and receiver of public moneys of the land office at Kaskaskia shall be allowed the same commission, respectively, on the confirmed claims, which have been or shall be received in payment for land entered at the said office, as they are now entitled to on moneys received in payment for lands sold, calculating the value of the confirmed claims at the rate of two dollars per acre.

‡Private.

SEC. 9. ‡

Approved, February 27, 1815.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 223, 244, 245.]

CHAP. 177.—An act to provide for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized to cause to be ascertained and surveyed the boundary line designated by the treaty with the Creek nation of Indians concluded on the ninth day of August, one thousand eight hundred and fourteen, and that the same be distinctly marked, in all such places, except where water-courses are described, as the boundary by the said treaty; and for this purpose the President of the United States shall have power to appoint, by and with the advice and consent of the Senate, three commissioners, whose compensation shall not exceed, exclusive of travelling expenses, the rate of eight dollars per day, during the time of actual service of such commissioner in ascertaining and surveying the said boundary line; they shall have power to employ a skilful surveyor, who shall be allowed five dollars per day, and two chain-men and a marker, who shall each be allowed two dollars per day, in full for their services.

The President to cause the boundary line designated by the treaty with the Creek Indians, etc. to be surveyed, &c.

The President, &c. to appoint three commissioners, to receive at the rate of 8 dolls. per day, exclusive, &c.

A surveyor, chain-men, &c.

SEC. 2. *And be it further enacted,* That the said commissioners, on completing the ascertainment and survey aforesaid, shall make out three accurate plats of the survey of the said boundary line, one of which they shall transmit to the Secretary of State, one to the surveyor of the lands south of the State of Tennessee, and the other to the chiefs of the Creek nation of Indians.

The commissioners to make three plats of the survey, &c.

SEC. 3. *And be it further enacted,* That all the public lands of the United States to which the Indian title was extinguished by the aforesaid treaty shall be, and are hereby, formed into a land district; and for the disposal thereof a land office shall be established, which shall be kept at such convenient place as the President of the United States may direct; and for the said land office a register and receiver of public moneys shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the other public lands of the United States.

The lands formed into a district, &c.

A land office, &c.

A register and receiver, &c.

SEC. 4. *And be it further enacted,* That the powers vested by law in the surveyor of the lands of the United States south of the State of Tennessee shall extend over all the public lands of the United States to which the Indian title was extinguished by the aforesaid treaty, and the same shall be surveyed in the manner and for the same compensation as other public lands in the Mississippi Territory.

The powers vested in the surveyor of the lands south of Tennessee to extend over the lands to which the Indian title was extinguished by the Creek treaty, &c.

SEC. 5. *And be it further enacted,* That the President of the United States is hereby authorized, whenever he shall

The President may direct the lands surveyed, etc. to be sold, &c.

The lands, with the exceptions mentioned, to be offered to the highest bidder, etc. at such time as the President may designate by proclamation, &c.

Sales to remain open three weeks, &c.

Price, terms, &c.

6 dolls. per day for each superintendent, &c.

Lands remaining unsold may be disposed of at private sale, &c.

Patents, &c.

The President may appoint the commissioners during the recess, &c.

Not exceeding 25,000 dolls. appropriated for carrying this act into effect.

think it proper, to direct so much of the public lands, lying in the said district, as shall have been surveyed in conformity to this act, to be offered for sale. All such lands shall, with the exception of the section numbered sixteen, which shall be reserved in each township for the support of schools within the same, with exception also of one entire township, to be located by the Secretary of the Treasury, for the use of a seminary of learning, and with the exception of any tracts of land reserved to the Indians by the said treaty, shall be offered to the highest bidder, under the direction of the register and receiver of public moneys of the said land office, on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The public sales shall remain open for three weeks, and no longer; and the lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands in the Mississippi Territory; and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the other public lands in the Mississippi Territory. The superintendents of the said public sales shall receive six dollars each, for each day's attendance on the said sales. All lands, other than those reserved as aforesaid, and excepted as above mentioned, remaining unsold at the closing of the public sales, and which had been offered at the said sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the other public lands of the United States in the Mississippi Territory. And patents shall be obtained for the lands sold in the said district in the same manner and on the same terms as for other public lands sold in the Mississippi Territory.

SEC. 6. *And be it further enacted*, That the President of the United States shall have power to appoint any or all of the aforesaid commissioners during the recess of the Senate.

SEC. 7. *And be it further enacted*, That a sum not exceeding twenty-five thousand dollars be, and the same is hereby, appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, for the purpose of carrying this act into effect.

Approved, March 3, 1815.

[See Part II, Nos. 64, 779, 784.]

CHAP. 178.—An act further supplementary to an act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."

*See orig. act, of 31st March, 1814; ante, chap. 161.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

sembled, That the commissioners appointed by virtue of the act entitled "An act supplementary to an act entitled 'An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory,' " shall be, and they are hereby, authorized to decide, in a summary way, upon the quantity or boundary of land contained in any grant or deed exhibited before them by any of the claimants of lands released to the United States, agreeably to said act, according to such maps, surveys, or other evidence, as now exist, or which they may be now able to procure, without requiring or permitting any other survey to be made.

The commissioners appointed by virtue of the act mentioned, to decide, in a summary way, upon the quantity of land in any grant exhibited by claimants, etc. according to existing evidence, etc.

*Ante, chap. 171.

SEC. 2. *And be it further enacted*, That the said commissioners shall be, and they are hereby, authorized to allow and receive, in all cases, except those where *femmes couvertes* are parties, as sufficient legal releases, assignments, and powers, required by said act and the supplement thereto, and as lawful conveyances, all such instruments as may be executed by the party, or his, her, or their attorney or attorneys, lawfully empowered, and either acknowledged by the party making the same, before some judge, or justice of the peace, notary public, mayor, recorder, or alderman of a corporation, or master in chancery, or one of the said commissioners, or proved by other evidence, to the satisfaction of the commissioners, to have been duly executed by the party.

The commissioners to allow, except in cases mentioned, as sufficient legal releases, etc. all instruments executed by the party, etc. and acknowledged, etc.

SEC. 3. *And be it further enacted*, That the said commissioners shall be, and they are hereby, authorized, in all cases where the releases, assignments, and powers, required by the act aforesaid, already presented, or which may be presented on or before the third Monday in March instant, or powers of attorney by which said releases shall have been or shall be made, shall be, in the judgment of the commissioners aforesaid, defectively drawn or executed, to allow a further time, not exceeding two months, from and after the said third Monday in March instant, to perfect the same.

Further time allowed for perfecting releases, assignments, etc. defectively drawn, etc.

SEC. 4. *And be it further enacted*, That the said commissioners shall be, and they are hereby, authorized to admit and finally settle all such claims as have been or may be, within the time limited, duly released, assigned, and transferred, to the United States, any thing in the said original act, or any supplement thereto, to the contrary notwithstanding; and to administer oaths, or take affirmations, and to compel the attendance of witnesses, in all cases where necessary.

The commissioners to admit and finally settle all claims duly released, etc. administer oaths, compel witnesses, etc.

SEC. 5. *And be it further enacted*, That the President of the United States shall be, and he is hereby, authorized, from time to time, to cause to be issued such certificates of stock as are specified in the said original act and supplement thereto, to such claimant or claimants, whose claim may be decided on and reported by the commissioners, on receiving such report, in relation to such claim, from the said commissioners.

The President to cause certificates of stock to be issued, from time to time, to claimants whose claims have been decided, etc.

SEC. 6. *And be it further enacted*, That the releases, assignments, and powers, required by the act aforesaid, and

Releases, etc. to be recorded by the secretary to the

commissioners, and the records, etc. returned to the office of the Secretary of State, etc.

12½ cents for every 100 words recorded.

On the dissolution, etc. of the board of commissioners, the President may allow them further compensation, etc.

Provided; the additional compensation not to exceed 50 cents to each commissioner for every deed, etc. submitted, etc.

the supplement thereto, now received, and which may be hereafter received, shall be recorded by the secretary of the said commissioners, and the said records returned, with all other papers and documents in relation to said claims, when the business of the said commissioners shall be closed, to the office of the Secretary of State; and that the said secretary shall be paid, by the Secretary of the Treasury of the United States, out of any money not otherwise appropriated, at the rate of twelve and a half cents for each and every hundred words contained in each instrument so recorded.

SEC. 7. *And be it further enacted,* That, on the dissolution of the said board of commissioners, and the performance of the duties assigned them, the President of the United States shall be, and he is hereby, authorized, if in his judgment he shall consider the said commissioners entitled to any further additional compensation for their services than is now provided for, to cause them to be paid such other and further sums, out of any money in the Treasury not otherwise appropriated, as he shall think just and reasonable: *Provided,* That such additional compensation shall not exceed fifty cents, to each commissioner, for every deed or evidence of title which shall be submitted to their examination and decision, in pursuance of the provisions of the said original act and the supplements thereto.

Approved, March 3, 1815.

[See Part II, No. 109.]

*See act of 3d of March, 1817, chap. 208.

CHAP. 179.—An act granting bounties in land and extra pay to certain Canadian volunteers.*

Citizens of the U. States anterior to the war of 1812, residing in Canada at its commencement, and having joined the armies of the U. States during its continuance, entitled to bounty land.

Quantity to each person.

†Quantities reduced. See act of 3d March, 1817, sec. 3, chap. 208, post.

Claims may be located in quarter sections, on unappropriated lands in the Indiana Territory, which have been surveyed, except salt springs, etc.

‡See act of 3d of March, 1817, sec. 2, chap. 208, post.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all such persons as had been citizens of the United States anterior to the late war, and were, at its commencement, inhabitants of the province of Canada, and who, during the said war, joined the armies of the United States, as volunteers, and were slain, died in service, or continued therein till honorably discharged, shall be entitled to the following quantities of land, respectively, to wit: each colonel, nine hundred and sixty acres; each major, to eight hundred acres; each captain, six hundred and forty acres; each subaltern officer, to four hundred and eighty acres; each non-commissioned officer, musician, or private, to three hundred and twenty acres; and the bounties aforesaid shall extend to the medical and other staff, who shall rank according to their pay.† And it shall be lawful for the said persons to locate their claims, in quarter sections, upon any of the unappropriated lands of the United States within the Indiana Territory, which shall have been surveyed prior to such location,‡ with the exception of salt springs and lead mines therein, and of the quantities of land adjacent thereto which

may be reserved for the use of the same, by the President of the United States, and the section number sixteen, in every township, to be granted to the inhabitants of such township for the use of public schools; which locations shall be subject to such regulations, as to priority of choice and the manner of location, as the President of the United States shall prescribe.

Manner of location, etc. as the President shall prescribe.

SEC. 2. *And be it further enacted*, That the Secretary for the Department of War, for the time being, shall, from time to time, under such rules and regulations, as to evidence, as the President of the United States shall prescribe, issue to every person coming within the description aforesaid a warrant for such quantity of land as he may be entitled to by virtue of the aforesaid provision; and in case of the death of such person, then such warrant shall be issued to his widow, or if no widow, to his child or children.*

Secretary of War, according to rules of evidence, to be prescribed by the President, to issue warrants for the land.

*See act of 3d of March, 1821, chap. 268, post.

SEC. 3. *And be it further enacted*, That the Treasurer of the United States be, and he is hereby, authorized and required to pay to each of the persons aforesaid three months' additional pay, according to the rank they respectively held in the army of the United States during the late war.

Three months' additional pay to Canadian volunteers, according to rank.

Approved, March 5, 1816.

[See Part II, Nos. 8, 14, 40, 230, 252.]

CHAP. 180.—An act relating to settlers on the lands of the United States.†

†Expired. See chapter 198.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person or persons who, before the first day of February, one thousand eight hundred and sixteen, had taken possession of, occupied, or made a settlement on, any lands ceded or secured to the United States, by any treaty made with a foreign nation, or by a cession from any State to the United States, which lands had not been previously sold, ceded, or leased, by the United States, or the claims to which lands had not been previously recognised or confirmed by the United States, and who, at the time of passing this act, does or do actually inhabit and reside on such lands, may, at any time prior to the first day of September next, apply to the proper register or recorder, as the case may be, of the land office established for the disposal, registering, or recording, of such lands; and, where there is no register or recorder, to the marshal, or to such person or persons as may be, by the registers, recorders, or marshals, respectively, appointed for the purpose of receiving such applications, stating the tract or tracts of land thus occupied, settled, and inhabited, by such applicant or applicants, and requesting permission to continue thereon; and it shall thereupon be lawful for such register, recorder, or

Persons occupying lands ceded to the United States, allowed, on application to a register, recorder, or marshal, to remain thereon, etc.

Not exceeding 390 acres for each applicant, etc.

The applicant to give quiet possession when required, etc.

Proviso; the applicant previously to sign a declaration that he lays no claim, etc.

Proviso; as to lead mines and salt springs.

Applications and permissions to be entered on books, etc.

Fees.

Limitation of this act to 25th March, 1817.

*Continued till 3d March, 1818: see chap. 26, post; and to 3d March, 1819: see chapter 219.

marshal, respectively, to permit, in conformity with such instructions as may be given by the Secretary of the Treasury, with the approbation of the President of the United States, for that purpose, such applicant or applicants to remain on such tract or tracts of land, provided the same shall, at that time, remain unsold by the United States, not exceeding three hundred and twenty acres for each applicant, as tenants at will, on such terms and conditions as shall prevent any waste or damage on such lands, and on the express condition that such applicant or applicants shall, whenever such tract or tracts of land may be sold or ceded by the United States, or whenever, from any other cause, he or they may be required, under the authority of the United States, so to do, give quiet possession of such tract or tracts of land to the purchaser or purchasers, or to remove altogether from the land, as the case may be: *Provided, however*, That such permission shall not be granted to any such applicant unless he shall previously sign a declaration, stating that he does not lay any claim to such tract or tracts of land, and that he does not occupy the same by virtue of any claim, or pretended claim, derived, or pretended to be derived, from any other person or persons: *And provided, also*, That in all cases where the tract of land applied for includes either a lead mine or salt spring, no permission to work the same shall be granted without the approbation of the President of the United States.

SEC. 2. *And be it further enacted*, That all the applications made, and permissions granted, by virtue of the preceding section, shall be duly entered on books, to be kept for that purpose, by the registers, recorders, and marshals, aforesaid, respectively; and they shall be entitled to receive, from the party, for each application fifty cents, and for each permission one dollar.

SEC. 3. *And be it further enacted*, That this act shall continue and be in force for the term of one year, any law to the contrary notwithstanding.*

Approved, March 25, 1816.

[See Part II, Nos. 1, 16, 106, 119, 205, 206, 207, 208, 213, 229, 243, 267.]

†Time further extended. See act of 9th March, 1818, chap. 211, post.

The Secretary of War to issue military land warrants to persons who have, before the 1st of March, 1818, produced satisfactory evidence.

The warrants may be located prior to the 1st of October, 1818, on unlocated parts of the 50 quarter townships, etc. reserved, etc.

CHAP. 181.—An act further extending the time for issuing and locating military land warrants, and for other purposes.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and eighteen, produced to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued, and not yet satisfied, shall and may be located, in the name of the holders or proprietors thereof, prior to

the first day of October, one thousand eight hundred and eighteen, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants. And patents shall be granted, for the land located under this act, in the same manner as is directed by former acts for granting military lands.

Patents to be granted as directed by former acts.

SEC. 2. *And be it further enacted,* That, at the expiration of the term limited by this act for the location of the military land warrants aforesaid, it shall be the duty of the Commissioner of the General Land Office to transmit to the surveyor general a list of all the lots of land within the fifty quarter townships and fractional quarter townships which shall at that time remain unlocated; and the surveyor general shall prepare and transmit to the registers of the land office at Chillicothe and Zanesville, respectively, general plats of the aforesaid unlocated lots; which lots shall, after the first day of March, one thousand eight hundred and nineteen, be offered for sale at the land offices in the districts in which they are situated, in the same manner, on the same terms and conditions, in every respect, as other public lands are offered at private sale in the same districts.

At the expiration of the term limited by the Commissioner of the General Land Office is to transmit to the surveyor general a list of all the lots remaining unlocated; the surveyor general is to transmit to the registers at Chillicothe and Zanesville general plats of the lots which are to be offered for sale, etc.

Approved, April 16, 1816.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 182.—An act for the relief of certain claimants to land in the district of Vincennes.*

*See act of 19th March, 1818; sec. 2, chap. 212.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several persons whose claims were confirmed by the act of Congress entitled “An act confirming certain claims to land in the district of Vincennes, and for other purposes,”† approved the third day of March, one thousand eight hundred and seven; and the act entitled

“An act confirming certain claims to land in the district of Vincennes,”‡ approved the thirteenth day of February, one thousand eight hundred and thirteen; which, having been located, cannot be surveyed agreeably to law, or which, having been located, have, in the opinion of the register of the land office for the said district, been removed, by the surveys of prior locations, from the spot intended to be occupied, are hereby authorized to enter their locations, with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in the said district, by virtue of the act entitled “An act respecting claims to lands in the Indiana Territory and State of Ohio,”§ and in conformity

†Chap. 93.

‡Chap. 130.

§Chap. 85.

to the provisions of this act.

Approved, April 16, 1816.

CHAP. 183.—An act making further provision for military services during the late war, and for other purposes.

irrelevant.

SEC. 1.*

The guardians of non-commissioned officers and soldiers who have been killed in battle or died of wounds, etc., may, within a year, relinquish the bounty lands, and receive the $\frac{1}{2}$ monthly pay for 5 years.

SEC. 2. *And be it further enacted*, That when any non-commissioned officer, musician, or private soldier, of the regular army of the United States, shall have been killed in battle, or have died of wounds or disease, while in the service of the United States, during the late war, and have left a child or children under sixteen years of age, it shall be lawful for the guardian of such child or children, within one year from the passing of this act, to relinquish the bounty land to which such non-commissioned officer, musician, or private soldier, had he survived the war, would have been entitled, and, in lieu thereof, to receive half the monthly pay to which such deceased person was entitled at the time of his death, for and during the term of five years, to be computed from and after the seventeenth day of February, one thousand eight hundred and fifteen; the payment thereof to be made when and where other military pensions are or shall be paid; and where a warrant for the military bounty land aforesaid shall have been issued to or for the use of the child or children of any such deceased non-commissioned officer, musician, or private soldier, such child or children, or either of them, being under sixteen years of age, it shall be lawful for the guardian of such minor or minors to surrender and deliver such warrant into the office for the Department of War, within one year from the passing of this act; of which surrender and delivery the Secretary of that Department shall give notice to the Secretary of the Treasury, who shall thereupon give the requisite orders for the payment of the half pay hereby provided for.†

Where a warrant has issued the guardian may surrender it.

Notice of surrender to the Secretary of the Treasury, who is to give orders for the half pay.

†The remaining sections irrelevant.

Approved, April 16, 1816.

[See Part II, Nos. 91, 97.]

CHAP. 184.—An act to enable the people of the Indiana Territory to form a constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the inhabitants of the Territory of Indiana be, and they are hereby, authorized to form for themselves a constitution and State Government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union upon the same footing with the original States, in all respects whatever.

The inhabitants of Indiana authorized to form a constitution and State Government, assume such name as they deem proper, and be admitted, &c.

†The 2d, 3d, 4th, and 5th sections irrelevant.

Propositions offered to the convention

SEC. 6.† *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said Territory of Indiana, when formed, for

their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States :

First. That the section numbered sixteen, in every township, and when such section has been sold, granted, or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township, for the use of schools.

1. No. 16 for the use of schools.

Second. That all salt springs within the said Territory, and the land reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding, in the whole, the quantity contained in thirty-six entire sections, shall be granted to the said State, for the use of the people of the said State, the same to be used under such terms, conditions, and regulations, as the Legislature of the said State shall direct : *Provided,* The said Legislature shall never sell nor lease the same for a longer period than ten years at any one time.

2. Salt springs.

Third. That five per cent. of the nett proceeds of the lands lying within the said Territory, and which shall be sold by Congress from and after the first day of December next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three fifths shall be applied to those objects within the said State, under the direction of the Legislature thereof, and two fifths to the making of a road or roads leading to the said State, under the direction of Congress.

3. Five per cent. of the nett proceeds of public lands lying within the Territory, for roads and canals.

Fourth. That one entire township, which shall be designated by the President of the United States, in addition to the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the Legislature of the said State, to be appropriated solely to the use of such seminary by the said Legislature.

4. An additional entire township, for a seminary of learning.

Fifth. That four sections of land be, and the same are hereby, granted to the said State, for the purpose of fixing their seat of Government thereon ; which four sections shall, under the direction of the Legislature of said State, be located at any time, in such township and range as the Legislature aforesaid may select, on such lands as may hereafter be acquired by the United States from the Indian tribes within the said Territory : *Provided,* That such locations shall be made prior to the public sale of the lands of the United States surrounding such location : *And provided, always,* That the five foregoing propositions, herein offered, are on the conditions, that the convention of the said State shall provide, by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of December next, shall be and remain exempt from any tax, laid by order or under any authority of the State, whether for State,

5. Four sections of land for a seat of Government.

Proviso; locations of the sections to be prior to public sales.

Proviso; the five propositions are on condition that land sold by the United States be exempt from taxes for five years.

county, or township, or any other purpose whatever, for the term of five years from and after the day of sale.

Approved, April 19, 1816.

[See Part II, Nos. 13, 98, 232, 611, 856.]

CHAP. 185.—An act further supplementary to the act entitled “An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory.”*

*Original act of 31st March, 1814, ch. 161.

Persons claiming under the act of Georgia, who have not released their claims, allowed until the first Monday of March, 1817, to file their releases.

†Chapter 161.

‡See supplementary acts, of 23d Jan. 1815, chap. 171; and of 3d March, 1815, chap. 178.

Commissioners authorized, in suits for money withdrawn from the Treasury of Georgia, to transmit original papers to the counsel or attorney.

1,000 dolls. to commissioners and secretary, for additional services.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person or persons claiming public lands in the Mississippi Territory, under the act, or pretended act, of the State of Georgia, passed January the seventh, one thousand seven hundred and ninety-five, who have not duly released their claims to the United States, so as to entitle them to the indemnification provided by the act of Congress passed the thirty-first day of March, one thousand eight hundred and fourteen, entitled “An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory,”† and the acts supplementary thereto,‡ shall be allowed further time to execute and file, with the commissioners appointed to decide on such claims, good and sufficient legal releases of their claim, as by said acts are required, until the first Monday of March next. And the commissioners aforesaid are hereby authorized and empowered to decide on such claims, and to adjudge to every such claimant or claimants the proportion of indemnification to which he or they may be respectively entitled.

SEC. 2. *And be it further enacted*, That the commissioners aforesaid shall be, and they are hereby, authorized, in all cases where they shall direct suits to be commenced for the recovery of money fraudulently withdrawn from the Treasury of Georgia, to transmit to the counsel or attorney appointed to institute and conduct such suits or prosecutions, all original papers or documents in their possession, that may furnish evidence to sustain the same.

SEC. 3. *And be it further enacted*, That there shall be allowed and paid, out of the Treasury of the United States, to each of the said commissioners and their secretary, the further sum of one thousand dollars, as a compensation for the additional services required by this act.

Approved, April 20, 1816.

[See Part II, No. 109.]

CHAP. 186.—An act authorizing the President of the United States to lease the Saline near the Wabash river, for a term not exceeding seven years.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to lease the United States Saline near the Wabash river, for a term not exceeding seven years, from and after the end of the present term, on such conditions as will insure the working the same most extensively and most advantageously to the United States.

Approved, April 24, 1816.

[See Part II, No. 96.]

CHAP. 187.—An act for the relief of certain purchasers of public lands in the Mississippi Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who, since the first day of April, one thousand eight [hundred] and eleven, and prior to the eighteenth day of June, one thousand eight hundred and twelve, had purchased any tract or tracts of public land in the Mississippi Territory, not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase-money, shall be allowed the further time of two years and eight months, from and after the expiration of the present period already given by law, for completing the payment of the said purchase-money; which further term of two years and eight months shall be allowed only on the condition that all arrears of interest on the purchase-money shall have been paid on or before the time shall have expired for completing the payment of the purchase-money: *Provided*, That in all cases in which the time for completing the payment of the purchase-money may have expired, or shall expire before the first day of July next, the interest may be paid on or before that day. But in case of failure in paying either the arrears, or the residue of principal with the accruing interest, as is herein provided, the tract of land shall forthwith be advertised and offered for sale, in the same manner and on the same terms as is directed by law in case of lands not paid for within the limited term; and shall revert in like manner, if the sum due, with interest, be not at such sale bidden and paid. And in cases where any tract or tracts of land in said Territory, not exceeding in the whole six hundred and forty acres, unless the tract be a fractional section or sections, or fractional sections classed with an entire section, have, since the first day

The President authorized to lease the Saline near the Wabash, on conditions that will insure the working it most advantageously to the United States.

Persons who, between the 1st of April, 1811, and the 18th of June, 1812, purchased not exceeding 640 acres of public land in Mississippi, unless, etc., and whose lands have not reverted or been sold, allowed a further time of 2 years and 8 months to complete their payments.

On condition that all arrears of interest shall have been paid, etc.

Provide; if the time has expired before the 1st of July, 1816, the interest may be paid before or on that day. In case of failure in paying, etc. the land is to be advertised and offered for sale, etc.

Where tracts of land have reverted since the 1st of October, 1815, the original purchasers may again enter the same tracts at the price for which they were first sold.

And moneys paid by original purchasers to be replaced to their credit.

Proviso; application for re-entry before the 1st of July, 1816; and if the lands have not been resold.

of October last, reverted to the United States for default of payment, the original purchaser may again enter the same tract or tracts, at the price at which such tract or tracts were originally sold; and all moneys which such original purchaser may have paid shall be replaced to his credit by the receiver of public moneys for the district in which the land may lie; and such repurchasers shall be allowed the same benefits of the extension of the time of payment created by this act, as though no such reversion had occurred: *Provided*, That such original purchaser shall make, to the proper officer, such application for such re-entry as is required by law for the entry of lands, on or before the first day of July next, and that the land so reverted shall not have then been previously resold.

Approved, April 24, 1816.

[See Part II, Nos. 13, 309.]

CHAP. 168.—An act making further provision for settling claims to land in the Territory of Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person, and the legal representatives

Persons who, before the 5th Feb. 1813, were settled on and had improved any tract of land reserved for schools, etc., and who, had not the reservation been made, would have had right of pre-emption under the act of 16th April, 1814, allowed until 1st Oct. 1816, to enter the same for purchase, etc.

*Chap. 163.

Register and receiver to enter tracts, etc.

Proviso; if such persons have not entered other lands in right of pre-emption, in lieu, etc.

†See the amendatory act, chap. 176.

The register and receiver authorized to select any other vacant unappropriated lands, within the tract set apart, etc. in lieu of the lands formerly reserved for a seminary of learning, etc.

of every person, who, before the fifth day of February, one thousand eight hundred and thirteen, settled on and improved any tract of land reserved for the use of schools or seminaries of learning, and who, had not the same been reserved, would have had the right of pre-emption within the tract of country set apart by the third section of the act of the sixteenth day of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location,"* to satisfy the unlocated claims to land in the said Territory, shall be, and they hereby are, authorized and allowed, until the first day of October, one thousand eight hundred and sixteen, to enter the same for purchase with the register and receiver of public moneys of the land office at Kaskaskia; and it shall be the duty of the register and receiver to enter the same for purchase, according to the provisions of this and the said recited act: *Provided*, That such person or persons shall not have entered, in right of pre-emption, other lands in lieu thereof, in virtue of the third section of an act to amend the aforesaid act, passed the twenty-seventh day of February, one thousand eight hundred and fifteen.†

SEC. 2. *And be it further enacted*, That the register and receiver of public moneys shall have power, and they are hereby authorized, to select any other vacant and unappropriated lands, within the tract set apart to satisfy confirmed claims as aforesaid, in lieu of such of the lands formerly reserved for a seminary of learning, and for the support of

schools, as have been appropriated in satisfaction of ancient grants or confirmed improvement claims, or as shall be entered in right of pre-emption, according to the provisions of the preceding section of this act: *Provided*, That the lands thus to be selected shall be taken as near adjacent to those in lieu of which they are selected as an equal quantity of land of like quality can be obtained, and shall be reserved and appropriated for the same purpose.

Proviso: the lands selected to be as adjacent to those in lieu of which they are selected as possible, etc.

SEC. 3. *And be it further enacted*, That the provisions of the second section of an act passed the twenty-seventh day of February, one thousand eight hundred and fifteen,* respecting the settlers on the fractional section and quarter sections within the aforesaid reserved tract, shall extend to all other settlers on the fractional section or quarter sections within the Kaskaskia district.

The provisions of the act of 27th Feb. 1815, respecting settlers on the fractional sections, etc. to extend to other settlers in the Kaskaskia district, etc.

*See the act, chap. 176.

SEC. 4. *And be it further enacted*, That all the claims filed in the name of the original claimants or their heirs, not exceeding four hundred acres, contained in a list transmitted to the Commissioner of the General Land Office by Michael Jones, register, and S. Bond, receiver of public moneys, of the land office for the district of Kaskaskia, bearing date the twenty-ninth day of March, one thousand eight hundred and fifteen, be, and they hereby are, confirmed to the original claimants or their heirs: *Provided*, That the said claims hereby confirmed be, and they hereby are, deemed and taken to be unlocated claims, and they shall not in any wise defeat or interfere with locations made in virtue of other authorized claims on lands improved by the said claimants or others.

Claims filed, not exceeding 400 ac's, contained in a list bearing date the 29th of March, 1815, confirmed to the original claimants.

Proviso: the claims are deemed unlocated, and are not to interfere, etc.

SEC. 5. *And be it further enacted*, That the claimants whose claims are confirmed by virtue of the fourth section of this act, and all others lawfully holding confirmed unlocated claims for lands within the tract reserved by the before-recited act of the sixteenth day of April, one thousand eight hundred and fourteen,† be allowed until the first day of October, one thousand eight hundred and sixteen, to register the same; and the said claims shall be receivable in payment for public lands within the said reserved tract, conformably with the provisions of the last above-mentioned act and of the present act, any time prior to the first day of October, one thousand eight hundred and sixteen.‡

Claimants allowed till 1st October, 1816, to register claims.

†Chap. 163.

The claims are receivable in payment for public lands within the reserved tract, etc.

‡See chap. 248.

SEC. 6. *And be it further enacted*, That all persons, or their legal representatives, entitled to the right of pre-emption of lands within the boundary specified in the before-recited act of the sixteenth day of April, one thousand eight hundred and fourteen,§ which lands have not been surveyed under the authority of the United States, shall be, and they hereby are, allowed a further time for making their entries with the register of the land office, until the lands upon which they have respectively settled and improved shall be surveyed by the United States, and until the expiration of six months thereafter.

Persons entitled to right of pre-emption, within the boundary specified in the act of 16th April, 1814, allowed to make their entries with the register until six months after the lands have been surveyed.

§Chap. 163.

Persons whose claims to lands in the Illinois Territory are confirmed, and who have not obtained patents, to receive a certificate from the register of Kaskaskia, whenever, etc.

A dollar to the register for the certificate.

Certificate to entitle the party to a patent, etc.

SEC. 7. And be it further enacted, That every person, and the legal representative of every person, whose claim to a tract of land within the Illinois Territory is confirmed by this or any former act, and who has not previously obtained a patent for the same from the Governor either of the Territory northwest of the Ohio or of the Indiana Territory, shall, whenever his claim shall have been located and surveyed, be entitled to receive, from the register of the land office at Kaskaskia, a certificate, stating that the claimant is entitled to receive a patent for such tract of land by virtue of this act; for which certificate the register shall receive one dollar, and which certificate shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by law for lands purchased of the United States.

Approved, April 26, 1816.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 233, 244, 245, 783.]

CHAP. 189.—An act providing for the sale of the tract of land at the Lower Rapids of Sandusky river.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the tract of land of two miles square at the Lower Rapids of Sandusky river, ceded by the Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Patawatamies, Miamies, Eel river, Weas, Kickapoos, Piankeshaws, and Kaskaskias, tribes of Indians, to the United States, by the treaty of Greenville of the third of August, one thousand seven hundred and ninety-five, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into out-lots, in such manner and of such dimensions as he may judge proper: *Provided,* The tract so to be laid off shall not exceed the quantity of land contained in one entire section, nor the town lots one quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor general, on which the town lots and out-lots shall respectively be designated by progressive numbers, who shall cause two copies to be made, one to be transmitted, with a copy of the field notes, to the Commissioner of the General Land Office, and the other to the register of the land office at Wooster.

So much of the tract of land of two miles square, at the Lower Rapids of Sandusky, as was ceded by the Indian tribes at the treaty of Greenville, of 3d Aug. 1795, to be laid off into town lots, streets, etc.

Proviso: the tract to be laid off not to exceed a section, etc.

When the survey has been completed a plat is to be returned to the surveyor general, who is to transmit copies, with a copy of field notes, etc.

Previously to the disposal of the tract at public sale the surveyor general is to resurvey and mark the exterior lines, and cause divisional lines to be run, etc.

*See the act, ch. 78.

SEC. 2. And be it further enacted, That previously to the disposal at public sale of the before-mentioned tract of land, the surveyor general shall, and he is hereby directed to, resurvey and mark the exterior lines of the said tract, conformably to the survey made in [the] year one thousand eight hundred and seven, by virtue of the act of the third of March, one thousand eight hundred and five,* and also to cause divisional lines to be run through each fractional sec-

tion, and of the adjoining quarter section, so that each subdivision, having one front on the river, may contain, as nearly as may be, eighty acres each. And in like manner to cause the large island lying in the west half of section number one to be surveyed, and the same to be divided into two equal parts:

Provided, That in running the subdivisional lines no interference shall be made affecting the selection or location hereafter to be made under the direction of the Secretary of War: *Provided, also*, That in no case shall the subdivisional lines be so run as to extend to or embrace the bed of the river, which shall be deemed, and is hereby declared to be, a public highway: *And provided, also*, That the whole expense of resurveying and marking the exterior lines of the said cession, and running and marking the subdivisional lines of the fractional and quarter sections lying adjacent to the river, shall not exceed three dollars for every mile actually surveyed, resurveyed, and marked, by virtue of this and the preceding section.

SEC. 3. *And be it further enacted*, That all the land contained within the aforesaid cession of two miles square shall, with the exception of as many town lots and out-lots as, in the opinion of the Secretary of the Treasury, may be necessary to reserve for the support of schools within the same, and with exception, also, of the salt springs and land reserved for the use of the same, be offered for sale to the highest bidder at Wooster, in the State of Ohio, under the direction of the register and receiver of the land office, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sale for the divided quarter sections, fractional sections, and of the town lots and out-lots, shall remain open at Wooster for seven days, and no longer. The divided quarter sections and fractional sections shall not be sold for less than two dollars an acre, the in-lots for less than twenty dollars each, nor any out-lot for less than at the rate of five dollars per acre; and shall, in every other respect, be sold on the same terms and conditions as have been or may be provided by law for the lands sold north of the river Ohio and above the mouth of Kentucky river. All the land, other than what is excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land office at Wooster, agreeably to the provisions of this act, and in the same manner, under the same regulations and conditions, as are or may be provided by law for the sale of the public lands of the United States north of the river Ohio and above the mouth of Kentucky river; and patents shall be obtained for all lands granted or sold within the said cession, in the same manner and on the same terms as are or may be provided by law for land sold in the State of Ohio. The superintendents of the public sales directed by this section shall receive

The large island. In the west of section No. 1, to be surveyed, etc.

Proviso; no interference in running subdivisional lines.

Proviso; subdivisional lines not to embrace the bed of the river, etc.

Proviso; the whole expense of resurveying, surveying, running, and marking, not to exceed 3 dollars for every mile, etc.

All the land within the cession of 2 miles square, with the exception of lots necessary for the support of schools, salt springs, etc. to be offered for sale at Wooster, on days to be designated by proclamation of the President.

Sale of divided quarter sections, town lots, etc. to remain open seven days.

Not to be sold for less than the prices specified, and on the same terms and conditions as provided by law, etc.

Lands remaining unsold at public sale, may be sold at private sale, etc.

Patents as for land sold in Ohio.

Four dollars a day for each superintendent of sales.

four dollars each for each day's attendance on the said sales.

Approved, April 26, 1816.

[See Part II, Nos. 13, 234, 272, 331, 782.]

CHAP. 190.—An act confirming the titles of certain purchasers of land who purchased from the board of trustees of the Vincennes University.

Persons who purchased land in township No. 2, etc. from the board of trustees for the Vincennes University, confirmed in their titles.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several persons who purchased land in township number two south, of range numbered eleven west, in the district of Vincennes, from the board of trustees for the Vincennes University, which was incorporated by an act of the Legislature of the Indiana Territory entitled "An act to incorporate a university in the Indiana Territory," passed the twenty-ninth day of November, one thousand eight hundred and six, be, and they are hereby, confirmed in their titles, in fee simple, respectively.

Approved, April 27, 1816.

CHAP. 191.—An act to authorize the sale of lands forfeited to the United States in the district of Jeffersonville, at the land office in said district.

The register and receiver of the land office for Jeffersonville district authorized to expose at public sale forfeited tracts, etc.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the register and receiver of the land office for the district of Jeffersonville be, and they are hereby, authorized to expose to public sale to the highest bidder, at the land office aforesaid, any tract or tracts of land which may hereafter become forfeited to the United States for non-payment, under such terms and conditions as are or may be prescribed by law.

So much of any former act as requires the register and receiver in Jeffersonville district to expose forfeited land to public sale at the court-house, repealed.

SEC. 2. And be it further enacted, That so much of any former act of Congress as requires the register and receiver of the district aforesaid to expose to public sale, at the court-house of the county in which the said land office is established, any tract or tracts of land which may become forfeited to the United States for non-payment, be, and the same is hereby, repealed.

Approved, April 27, 1816.

[See Part II, No. 13.]

CHAP. 192.—An act providing for cases of lost military land warrants and discharges for faithful services.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

sembled, That when any soldier of the regular army, having obtained a military land warrant, shall have lost or shall hereafter lose the same, or the said warrant shall have been or may be by accident destroyed, every such soldier shall, upon proof thereof to the satisfaction of the Secretary of War, be entitled to a patent, in like manner as if the said warrant was produced.

SEC. 2. *And be it further enacted*, That in all cases of discharges from the military service of the United States of any soldier of the regular army, when it shall appear to the satisfaction of the Secretary of War that a certificate of faithful services has been omitted by the neglect of the discharging officer, by misconstruction of the law, or by any other neglect or casualty, such omission shall not prevent the issuing of the warrant and patent as in other cases. And when it shall be proved, as aforesaid, that any soldier of the regular army has lost his discharge and certificate of faithful service, the Secretary of War shall cause such papers to be furnished such soldier of the regular army as will entitle him to his land warrant and patent: *Provided*, Such measure be justified by the time of his enlistment, the period of service, and the report of some officer of the corps to which he was attached.

Approved, April 27, 1816.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 193.—An act providing for the sale of the tract of land at the British fort of the Miami of the Lake, at the foot of the Rapids, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the tract of land of twelve miles square at the "British fort of the Miami of the Lake, at the foot of the Rapids," ceded by the Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Pattawatimas, Miami, Eel River, Weas, Kickapoos, Piankeshaws, and Kaskaskias, tribes of Indians, to the United States, by the treaty of Greenville, of the third of August, one thousand seven hundred and ninety-five, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into out-lots, in such manner and of such dimensions as he may judge proper: *Provided*, The tract so to be laid off shall not exceed the quantity of land contained in two entire sections, nor the town lots one quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor general, on which the town lots and out-lots shall, respectively, be designated by progressive numbers, who shall cause two copies to be made, one to be transmitted, with a copy of the field notes, to the Commis-

Soldiers of the regular army, having obtained warrants and lost them, etc. upon satisfactory proof of the fact to the Secretary of War, are entitled to patents.

When it appears, to the satisfaction of the Secretary of War, that certificates of faithful services, in cases of discharge from military service, have been omitted by neglect, misconstruction, or casualty, the omission is not to prevent the issuing of warrants and patents.

Upon proof of the loss of a discharge and certificate, the Secretary of War is to furnish papers, etc.

Provido; if the measure be justified by the time of enlistment, etc.

So much of the tract of land, 12 miles square, at the British fort of the Miami of the Lake, as was ceded by the Indian tribes at the treaty of Greenville, of 3d Aug. 1795, to be laid off into town lots, etc.

Provido; as to the quantity to be laid off.

When the survey of the lots has been completed, a plat is to be returned, etc., a copy of field notes, etc.

sioner of the General Land Office, and the other to the register of the land office at Wooster.

Previously to the disposal of the tract at public sale, the surveyor general is to resurvey and mark the exterior lines, etc. and cause divisional lines to be run, etc. so that each subdivision may contain 160 acres.

*Chapter 76.

Great island to be surveyed, and divided into six equal parts.

Proviso; no interference in running subdivision lines, etc.

Proviso; subdivisional lines not to embrace the bed of the river.

Proviso; the whole expense of surveying, resurveying, and marking, not to exceed 3 dollars a mile.

All the land within the cession of 12 miles square, not excepted, etc. to be offered for sale at Wooster, on days to be designated by proclamation of the President.

The sale for quarter sections, etc. to remain open seven days.

The land not to be sold for less than the prices specified.

SEC. 2. And be it further enacted, That previously to the disposal at public sale of the before-mentioned tract of land, the surveyor general shall, and he is hereby directed to, resurvey and mark the exterior lines of the said tract, conformably to the survey made in December, one thousand eight hundred and five, by virtue of the act of the third of March, one thousand eight hundred and five,* and also to cause divisional lines to be run through each section and fractional section binding on the said river, so that each subdivision may contain, as nearly as may be, one hundred and sixty acres each. And in like manner to cause the "Great island," lying at the foot of the Rapids, in the said river, to be surveyed, and, by lines running north and south, to divide the same, as nearly as may be, into six equal parts, that is to say: that part of the said island described in the survey of the said cession as lying in township number three, in four parts; and that part of the said island lying in township number four, into two parts: *Provided*, That in running the subdivisional lines no interference shall be made affecting or impairing the rights of persons to whom letters patent have been granted for land lying within the limits of the said twelve miles square, nor affecting the selection or location hereafter to be made under the direction of the Secretary of War for military purposes: *Provided, also*, That in no case shall the subdivisional lines be so run as to extend to or embrace the bed of the river, which shall be deemed, and is hereby declared to be, a public highway: *And provided, also*, That the whole expense of resurveying and marking the exterior lines of the said cession, and of the subdivisional lines of the sections lying adjacent to the river, shall not exceed three dollars for every mile actually surveyed, resurveyed, and marked, by virtue of this and the preceding section.

SEC. 3. And be it further enacted, That all the land contained within the aforesaid cession of twelve miles square, not excepted by virtue of any section of this act, shall, with the exception of number sixteen, which shall be reserved in each township for the support of schools within the same, and with the exception, also, of the salt springs and land reserved for the use of the same, be offered for sale to the highest bidder at Wooster, in the State of Ohio, under the direction of the register and receiver of the land office, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sale for the quarter sections, fractional quarter sections, and of the town lots and out-lots, shall remain open at Wooster for seven days, and no longer. The quarter sections and fractional quarter sections shall not be sold for less than two dollars an acre, the in-lots for less than twenty dollars each, nor any out-lot for less than at the rate of five

dollars per acre ; and shall, in every other respect, be sold on the same terms and conditions as have been or may be by law provided for the lands sold north of the Ohio river and above the mouth of Kentucky river. All the lands, other than the reserved sections and those excepted as above-mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office at Wooster, agreeably to the provisions of this act, and in the same manner, under the same regulations and conditions, as are or may be provided by law for the sale of the lands of the United States north of the Ohio river and above the mouth of Kentucky river. And patents shall be obtained for all lands granted or sold within the said session, in the same manner and on the same terms as are or may be provided by law for lands sold in the State of Ohio. The superintendents of the public sales directed by this section shall receive four dollars each for each day's attendance on the said sale.

To be sold on the same terms as lands north of the Ohio, etc.

Lands not disposed of at public may be sold at private sale, etc.

Patents as for land sold in Ohio.

4 dolls. to each superintendent for each day's attendance.

Approved, April 27, 1816.

[See Part II, Nos. 13, 234, 272, 782.]

CHAP. 194.—An act to establish a land district in Illinois Territory, north of the district of Kaskaskia.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the public lands of the United States heretofore included within the land district of Kaskaskia, and lying north of the base line in the Illinois Territory, shall form a new land district for the disposal of the said lands, and for which purpose a land office shall be established at Edwardsville, Madison county, under the direction of the register of the land office and receiver of public moneys to be appointed for that purpose, who shall reside at the place, give security in the same manner and in the same sums, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio.

Public lands heretofore in the district of Kaskaskia, and lying north of the base line in Illinois, to form a new land district, with a land office at Edwardsville, etc.

Register and receiver to be appointed, etc.

SEC. 2. *And be it further enacted,* That the said lands shall be disposed of in the same manner and on the same terms and conditions as are or may be provided by law for the sale of public lands in the district of Kaskaskia: *Provided,* That no tract of land excepted from the sale by virtue of any former act, shall be sold by virtue of this act.

Lands to be disposed of as in the Kaskaskia district; provided, etc.

Approved, April 29, 1816.

[See Part II, No. 64.]

CHAP. 195.—An act to provide for the appointment of a surveyor of the public lands in the Territories of Illinois and Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

A surveyor of the lands in Illinois and Missouri to be appointed, who is to engage deputies, and perform duties similar to those of the surveyor general, etc.

The surveyor to cause lands to be surveyed, etc.

To transmit to the registers general and particular plats, etc.

Copies of plats to the Commissioner of the General Land Office.

Provido; the whole expense of surveying and marking not to exceed \$3 a mile.

Annual compensation of the surveyor under this act, \$1,000.

Fees from individuals.

All plats of surveys, papers, etc. of former surveyors, to be delivered to the surveyors under this act.

Certified plats of surveys to be admitted as evidence.

That a surveyor of the lands of the United States in the Territories of Illinois and Missouri shall be appointed, whose duty it shall be to engage a sufficient number of skillful surveyors as his deputies, and to cause so much of the land above mentioned as the President of the United States shall direct, and to which the titles of the Indian tribes have been extinguished, to be surveyed and divided in the manner, and to do and perform all such other acts in relation to such lands as the surveyor general is authorized and directed to do in relation to the same, or the lands lying northwest of the river Ohio; and it shall also be the duty of the surveyor to cause to be surveyed the lands in the said Territories the claims to which have been or hereafter may be confirmed by any act of Congress, which have not already been surveyed according to law, and, generally, to do and perform all and singular the duties required by law to be performed by the principal deputy surveyor for the Territory of Missouri; and shall transmit to the registers of the land offices within the said Territories, respectively, general and particular plats of all the lands surveyed, or to be surveyed; and shall also forward copies of said plats to the Commissioner of the General Land Office, fix the compensation of the deputy surveyors, chain-carriers, and axemen: *Provided*, That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be run, surveyed, and marked.

SEC. 2. *And be it further enacted*, That the surveyor of the lands of the United States appointed in pursuance of this act shall be allowed an annual compensation of one thousand dollars, and shall be entitled to receive from individuals the following fees, that is to say: for recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of a plat of a survey in his office, twenty-five cents; and that all the plats of surveys, and all other papers and documents pertaining, or which did pertain, to the office of the surveyor general under the Spanish Government, within the limits of the Territory of Missouri, or to the office of principal deputy surveyor for said Territory, or pertaining to the office of surveyor general, or to any office heretofore established or authorized for the purpose of executing or recording surveys of lands within the limits of the Territories of Missouri and Illinois, shall be delivered to the surveyors of the lands of the United States authorized to be appointed by this act; and any plat of survey, duly certified by the said surveyor, shall be admitted as evidence in any of the courts of the United States or Territories thereof.

SEC. 3. *And be it further enacted*, That so much of the act entitled "An act extending the powers of the surveyor general to the Territory of Louisiana, and for other purposes,"* passed February twenty-eighth, one thousand eight hundred and six, as provides for the appointment of a principal deputy surveyor, and so much of any act of Congress [heretofore] passed as is repugnant to, or inconsistent with, any provision of this act, be, and the same is hereby, repealed.

Part of the act extending the powers of the surveyor general to Louisiana, and any act repugnant to this act, repealed.
*Chapter 79.

Approved, April 29, 1816.

[See Part II, Nos. 783, 983, 984.]

CHAP. 196.—An act providing for the sale of certain lands in the State of Ohio, formerly set apart for refugees from Canada and Nova Scotia.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That such part of the tract of land which was set apart for refugees from Canada and Nova Scotia by the act of Congress passed the eighteenth day of February, one thousand eight hundred and one, entitled "An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia,"† which has not been located by the said refugees, shall be attached to and made a part of the land district of Chillicothe; and the said unlocated land shall be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public moneys for the said district, at Chillicothe, on such day as shall, by proclamation of the President of the United States, be designated for that purpose: the sale shall remain open six days, and no longer; the lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been or may be provided for lands in the said district. All the said unlocated land remaining unsold at the close of the public sales may be disposed of at private sale, by the register of the said land office, in the same manner, under the same regulations, for the same price, and on the same terms, as are or may be provided by law for the sale of lands in the said district; and patents shall be obtained in the same manner and on the same terms as for other public lands in the said district.

Such part of the tract of land set apart for refugees from Canada and Nova Scotia, by act of 18th of Feb. 1801, as has not been located, attached to the district of Chillicothe.
†Chapter 56.

The unlocated land to be offered for sale at Chillicothe on such day as the President, by proclamation, may direct; at not less than 2 dollars per acre, etc.

Land remaining unsold at public may be disposed of at private sale, etc.

Patents as for other public lands in the district.

SEC. 2. *And be it further enacted*, That the superintendents of the public sales directed by this act shall each receive four dollars a day for each day's attendance on the said sales.

4 dollars to superintendents for each day's attendance on the sales.

Approved, April 29, 1816.

[See Part II, Nos. 13, 257.]

CHAP. 197.—An act for the confirmation of certain claims to land in the western district of the State of Louisiana and in the Territory of Missouri.

Whereas, by the eighth section of the act of third March, one thousand eight hundred and seven,* it is required that the commissioners for ascertaining and adjusting the titles and claims to land in the then Territories of Orleans and Louisiana should arrange their reports into three general classes, the second of which classes should contain claims which, though not embraced by the provisions of the several acts of Congress, ought, nevertheless, in the opinion of the commissioners, to be confirmed, in conformity with the laws, usages, and customs, of the Spanish Government: and whereas the commissioners in and for the western district of the State of Louisiana, formerly Territory of Orleans, in their several reports of the sixteenth of October, one thousand eight hundred and twelve, fourth of December, one thousand eight hundred and twelve, ninth of March, one thousand eight hundred and thirteen, sixth of April, one thousand eight hundred and fifteen, first of May, one thousand eight hundred and fifteen, and fourth of May, one thousand eight hundred and fifteen, have formed this second class, recommending the claims which it embraces for confirmation, and have designated the same by letter B; and the register of the land office and receiver of public moneys, acting as commissioners for adjusting the titles and claims to land in the said district, in their report dated the thirtieth day of December, one thousand eight hundred and fifteen, under the act giving further time for registering claims to land in the western district of the Territory of Orleans, passed the tenth day of March, one thousand eight hundred and twelve,† the “Act giving further time for registering claims to land in the eastern and western districts of the Territory of Orleans,”‡ passed the twenty-seventh day of February, one thousand eight hundred and thirteen, and the act of the twelfth day of April, one thousand eight hundred and fourteen,§ have arranged the claims into the following classes, to wit: one, two, three, four, five, six, seven, eight, nine, ten, eleven: therefore,

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claims marked B, and described in the several classes in the above-mentioned reports of the commissioners for the western district of the State of Louisiana, formerly Territory of Orleans, and recommended by them for confirmation, be, and the same are hereby, confirmed: *Provided, nevertheless,* That under no one claim shall any person or persons be entitled, under this act, to more than the quantity contained in a league square.

SEC. 2. *And be it further enacted,* That all claims embraced in the reports of the recorder of land titles, acting as commissioner for ascertaining and adjusting the titles and claims to land in the Territory of Missouri, dated November

*See the act, ch. 91. Reference to the act of 3d March, 1807, respecting titles and claims to land in the Territories of Orleans and Louisiana.

Class of claims not embraced by acts of Congress, but which, in the opinion of the commissioners, ought to be confirmed.

†See the act, ch. 136.

‡Chapter 151.

§See the act, ch. 162.

Claims arranged in classes, numerically.

Claims marked B, etc. confirmed.

Provided: no person entitled to more than a league square.

Claims embraced in the reports of the recorder, etc. where the decision has been favorable, confirmed, etc.

first, one thousand eight hundred and fifteen, and February second, one thousand eight hundred and sixteen, where the decision of the said commissioner is in favor of the claimants, shall be, and the same are hereby, confirmed, to wit: confirmations of village claims under the act of Congress of the thirteenth day of June, one thousand eight hundred and twelve;* grants of the late board of commissioners appointed for ascertaining and adjusting the titles and claims to land in the Territory of Missouri, extended by virtue of the fourth section of the act of the third of March, one thousand eight hundred and thirteen;† grants and confirmations under the several acts of Congress, commencing with the act of the thirteenth day of June, one thousand eight hundred and twelve.

*See chapter 140.

†See the act, chap. 140.

SEC. 3. *And be it further enacted*, That in all cases not provided for by law for patent certificates to issue, every person, and the legal representative of every person, whose claim to a tract of land is confirmed by this or any former act, and who has not already obtained a patent certificate for the same, shall, whenever his claim shall have been located and surveyed according to law, be entitled to receive, from the register of the land-office at Opelousas, in the State of Louisiana, or from the recorder of land titles in the Territory of Missouri, as the case may be, a certificate, stating that the claimant is entitled to a patent for such tract of land by virtue of this act; for which certificate the officer issuing the same shall receive one dollar; and the certificate shall entitle the party to a patent for the tract of land, which shall issue in like manner as is provided by law for patents to issue for lands purchased of the United States.

In cases not provided for, persons whose claims have been confirmed, etc. entitled to a certificate for a patent when their claims have been located, etc.

A dollar for the certificate to the officer issuing it.

The certificate to entitle the party to a patent.

Approved, April 29, 1816.

[See Part II, No. 19.]

CHAP. 198.—An act concerning pre-emption rights given in the purchase of lands to certain settlers in the State of Louisiana and in the Territories of Missouri and Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person, and the legal representatives of any person, entitled to a preference in becoming the purchaser from the United States of a tract of land at private sale, in the State of Louisiana, and in the Territories of Missouri and Illinois, according to the provisions of the act entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the Illinois Territory,"‡ passed February fifth, one thousand eight hundred and thirteen, and the fifth section of the "Act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri,"§ passed April twelfth, one thousand eight hundred and fourteen, who is settled on a fraction of a

Persons entitled to a preference, in becoming purchasers, at private sale, of tracts of land in Louisiana, Missouri, and Illinois, according to the provisions of an act of Feb. 1813, and the 5th section of an act of 12th April, 1814, settled on less than 160 acres, to have the privilege of purchasing, etc.

‡See chapter 140.

§See chapter 162.

section or fractional quarter section containing less than one hundred and sixty acres, shall have the privilege of purchasing one or more adjoining fractional quarter sections, or the adjoining quarter section, including their improvements, or the fraction improved by them, at their option; and the provisions of the said recited acts are hereby made applicable to them, so far as they are consistent with the provisions of this act.

Where two or more persons are entitled to right of pre-emption, etc. each person is authorized to purchase, etc.

And the section or fractional section upon which they are settled to be equally divided, as the register and receiver may determine, etc.

Where the improvement is upon two or more quarter sections, etc.

SEC. 2. *And be it further enacted*, That in cases where two or more persons entitled to the right of pre-emption shall be settled upon one quarter or fractional quarter section of land, each person shall be authorized to purchase one or more quarter sections, or fractional quarter sections, of the section or fractional section of land upon which they are so settled; and the section or fractional section upon which such persons are settled shall be equally divided between them, in such manner as the register and receiver within whose district the land lies shall determine and direct, so as to secure, as far as may be practicable, to every such person their improvements, respectively; and where the improvement of such persons shall be upon two or more quarter sections, such persons shall be entitled to purchase the quarter sections upon which his improvement shall be.

Approved, April 29, 1816.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 242, 245, 246, 247, 260, 286, 293, 685, 695, 696.]

CHAP. 199.—An act to authorize the survey of two millions of acres of the public lands, in lieu of that quantity heretofore authorized to be surveyed in the Territory of Michigan, as military bounty lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the "Act to provide for designating, surveying, and granting, the military bounty lands,"* approved the sixth day of May, one thousand eight hundred and twelve, as authorizes the President of the United States to cause to be surveyed two millions of acres of the lands of the United States in the Territory of Michigan, for the purpose of satisfying the bounties of land promised to the non-commissioned officers and soldiers of the United States, be, and the same is hereby, repealed; and in lieu of the said two millions of acres of land, the President of the United States be, and he is hereby, authorized to cause to be surveyed, of the lands of the United States fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, one million five hundred thousand acres in the Illinois Territory, and five hundred thousand acres in the Missouri Territory, north of the river Missouri: the said lands shall be divided into townships, and subdivided into

So much of the act of the 6th of May, 1812, as provides for surveying 2,000,000 of acres of military bounty lands in Michigan, repealed.

*Chapter 139.

The President to cause 1,500,000 acres to be surveyed in Illinois, and 500,000 acres in Missouri.

The lands to be divided into townships, subdivided, etc.

sections and quarter sections, (each quarter section to contain, as near as possible, one hundred and sixty acres,) in the manner prescribed by law for surveying and subdividing the other lands of the United States; and the lands thus surveyed, with the exception of the salt springs and lead mines therein, and of the quantities of land adjacent thereto as may be reserved for the use of the same by the President of the United States, and the section number sixteen in every township, to be granted to the inhabitants of such township for the use of public schools, shall, according to the provisions of the above-recited act, be set apart for the purpose of satisfying the bounties of land promised to the non-commissioned officers and soldiers of the late army of the United States, their heirs and legal representatives, by the act entitled "An act for completing the existing military establishment,"* approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act entitled "An act to raise an additional military force,"† approved the eleventh day of January, one thousand eight hundred and twelve.

The lands surveyed, with exception of salt springs, lead mines, and other reservations, to be set apart for satisfying bounties to non-commissioned officers and soldiers, etc.

*Chapter 119.

†Chapter 120.

SEC. 2. *And be it further enacted*, That every person in whose favor any warrant for military land bounty is issued shall be, and is hereby, authorized to draw, by lot, one of the quarter sections surveyed by virtue of this act, and shall obtain a patent therefor, in the same manner, in every respect, as is or shall be provided by law for patents to issue for other military land bounties, or as is provided by the act first above recited for patents to issue for such lands.

Every person in whose favor a warrant for military land bounty is issued, authorized to draw, by lot, one of the quarter sections, and obtain a patent therefor, etc.

Approved, April 29, 1816.

[See Part II, Nos. 293, 783, 789, 834.]

CHAP. 200.—An act providing for the division of certain quarter sections in future sales of the public lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the first day of September next, the sections designated by number two, five, twenty, twenty-three, thirty, and thirty-three, in each and every township of the public lands the sale of which is now, or hereafter may be, authorized by law, shall be offered for sale either in quarter sections or half-quarter sections, at the option of the purchaser; and in every case of the division of a quarter section, the portion shall be made by a line running due north and south, and in every other respect the said sections shall be offered, whether at public or private sale, on the same terms and conditions as have been or may be by law provided for the sale of the other public lands of the United States.

The sections designated to be offered for sale in quarter or half-quarter sections, etc.

In divisions of q'r sections, the portions are to be made by lines running due north and south, etc.

Approved, February 22, 1817.

[See Part II, Nos. 11, 231.]

CHAP. 201.—An act making reservation of certain public lands to supply timber for naval purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,*

The Secretary of the Navy enjoined to cause lands producing live oak and red cedar timbers to be explored, and selections to be made of tracts where the principal growth is, etc.

The Secretary empowered to employ agents and a surveyor, who are to report, etc.

*Repealed, by act of 16th May, 1820; chap. 261, post.

The tracts selected to be reserved, unless, etc.

Proviso; rights of persons claiming not to be prejudiced, etc.

Persons cutting timber on the lands reserved, or any live oak, or red cedar, on other public lands, etc. subject to a fine of 500 dollars, and imprisonment for six months.

Vessels taking on board timber from lands reserved, etc. forfeited.

That the Secretary of the Navy be authorized, and it shall be his duty, under the direction of the President of the United States, to cause such vacant and unappropriated lands of the United States as produce the live oak and red cedar timbers to be explored, and selection to be made of such tracts or portions thereof, where the principal growth is of either of the said timbers, as, in his judgment, may be necessary to furnish for the navy a sufficient supply of the said timbers. The said Secretary shall have power to employ such agent or agents and surveyor as he may deem necessary for the aforesaid purpose,* who shall report to him the tracts by them selected, with the boundaries ascertained and accurately designated by actual survey or watercourses; which report shall be laid before the President, which he may approve or reject, in whole or in part; and the tracts of lands, thus selected with the approbation of the President, shall be reserved, unless otherwise directed by law, from any future sale of the public lands, and be appropriated to the sole purpose of supplying timber for the navy of the United States: *Provided*, That nothing in this section contained shall be construed to prejudice the rights of any person or persons claiming lands which may be reserved as aforesaid.

SEC. 2. *And be it further enacted*, That if any person or persons shall cut any timber on the lands reserved as aforesaid, or shall remove, or be employed in removing, timber from the same, unless duly authorized so to do by order of a competent officer, and for the use of the navy of the United States; or if any person or persons shall cut any live oak or red cedar timber on, or remove or be employed in removing from, any other public lands of the United States, with intent to dispose of the same for transportation to any port or place within the United States, or for exportation to any foreign country, such person or persons so offending, and being thereof duly convicted before any court having competent jurisdiction, shall pay a fine not exceeding five hundred dollars, and be imprisoned not exceeding six months.

SEC. 3. *And be it further enacted*, That if the master, owner, or consignee, of any ship or vessel, shall knowingly take on board any timber cut on lands reserved as aforesaid, without proper authority and for the use of the navy, or shall take on board any live oak or red cedar timber, cut on any other lands of the United States, with intent to transport the same to any port or place within the United States, or to export the same to any foreign country, the ship or vessel on board of which the same shall be seized shall, with her tackle, apparel, and furniture, be wholly forfeited.

SEC. 4. *And be it further enacted,* That if any timber as aforesaid shall, contrary to the prohibitions of this act, be exported to any foreign country, the ship or vessel in which the same shall have been exported shall be liable to forfeiture, and the captain or master of such ship or vessel shall forfeit and pay a sum not exceeding one thousand dollars.

Exportation of timber contrary to this act subjects the vessel to forfeiture, and the master to a fine of 1,000 dollars.

SEC. 5. *And be it further enacted,* That all penalties and forfeitures incurred for taking on board, transporting, or exporting timber, by force of this act, shall be sued for, recovered, and distributed, and accounted for, in the manner prescribed by the act entitled "An act to regulate the collection of duties on imports and tonnage," and shall be mitigated or remitted in the manner prescribed by the act entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned."

Recovery of penalties, etc. and mitigation thereof, etc. according to the acts mentioned.

Approved, March 1, 1817.

[See Part II, Nos. 16, 267, 379, 896.]

CHAP. 202.—An act to enable the people of the western part of the Mississippi Territory to form a constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States.*

*Sections 1, 2, and 3, irrelevant.

SEC. 4. *And be it further enacted,* That the members of the convention, thus duly elected, be, and they hereby are, authorized to meet at the town of Washington, on the first Monday of July next; which convention, when met, shall first determine, by a majority of the whole number elected, whether it be or be not expedient at that time to form a constitution and State Government for the people within the said Territory; and if it be determined to be expedient, the convention shall be, and hereby are, authorized to form a constitution and State Government: *Provided,* That the same, when formed, shall be republican, and not repugnant to the principles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven,† between the people and States of the Territory northwest of the river Ohio, so far as the same has been extended to the said Territory by the articles of agreement between the United States and the State of Georgia, or of the constitution of the United States: *And provided, also,* That the said convention shall provide, by an ordinance irrevocable without the consent of the United States, that the people inhabiting the said Territory do agree and declare that they forever disclaim all right or title to the waste or unappropriated lands lying within the said Territory, and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land sold by Congress shall be and remain exempt from any tax laid by the order or under the authority of the State, whether for State, county,

Convent'n to meet at Washington on the first Monday of July, 1817, and to determine, etc.

Provido; the Government to be republican, and not repugnant to the ordinance of 13th July, 1787, so far, etc.

†See the ordinance, chap. 20.

Provido; as to unappropriated lands, their exemption from taxes, etc.

towaship, parish, or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof, and that the lands belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States, and that the river Mississippi, and the navigable rivers and waters leading into the same, or into the Gulf of Mexico, shall be common highways, and forever free, as well to the inhabitants of the said State as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State. (1)

Reservation of 5 per cent. on lands sold, for making roads and canals.

SEC. 5. *And be it further enacted*, That five per cent. of the nett proceeds of the lands lying within the said Territory, and which shall be sold by Congress from and after the first day of December next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals; of which three fifths shall be applied to those objects within the said State, under the direction of the Legislature thereof, and two fifths to the making of a road or roads leading to the said State, under the direction of Congress: *Provided*, That the application of such proceeds shall not be made until after payment is completed of the one million two hundred and fifty thousand dollars due to the State of Georgia, in consideration of the cession to the United States, nor until the payment of all the stock which has been or shall be created by the act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory,"* shall be completed: *And provided, also*, That the said five per cent. shall not be calculated on any part of such proceeds as shall be applied to the payment of the one million two hundred and fifty thousand dollars due to the State of Georgia, in consideration of the cession to the United States, or in payment of the stock which has or shall be created by the act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."†

Proviso; prior obligations to Georgia, etc. to be first discharged.

* See chap. 161.

Proviso; the 5 per cent. not to be calculated on certain proceeds.

† See chap. 161.

The State entitled to one Representative in Congress.

SEC. 6. *And be it further enacted*, That, until the next general census shall be taken, the said State shall be entitled to one Representative in the House of Representatives of the United States.

Approved, March 1, 1817.

(1) See Part II, No. 13.
[See Part II, No. 54.]

§ See chapter 264, act supplementary, and chs. 410, 443.

Four contiguous townships, each 6 miles square, in the Mississippi Territory, to be set apart and reserved, etc.

CHAP. 203.—An act to set apart and dispose of certain public lands, for the encouragement of the cultivation of the vine and olive.‡

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the Secretary of the

Treasury, under the direction of the President of the United States, to designate and set apart any four contiguous townships, each six miles square, of vacant public lands lying in that part of the Mississippi Territory which was formed into a land district by the act entitled "An act [to provide] for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes,"* passed on the third day of March, one thousand eight hundred and fifteen; and the four townships, so designated and set apart, shall be reserved from public and private sale, any thing in the aforesaid act to the contrary notwithstanding.

*Chapter 177.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to contract for the sale of the said four townships, which shall have been designated and set apart as aforesaid, at the rate of two dollars per acre, to be made payable fourteen years after the contract shall have been concluded with any agent or agents of the late emigrants from France, who have associated together for the purpose of forming a settlement in the United States: *Provided*, That satisfactory evidence shall be produced that such agent or agents are duly authorized to form such contract, and that the number of such emigrants, being of full age, for which he or they are authorized to act, are equal at least to the number of half sections contained in the four townships proposed to be disposed of.

The Secretary of the Treasury to contract for the sale of the townships, at 2 dolls. per acre, etc.

Provide; as to the agents of French emigrants being duly authorized to form a contract, etc.

SEC. 3. *And be it further enacted*, That the said Secretary shall have power to make such allotment of the lands among the individuals, and to stipulate, in the proposed contract, for such conditions of settlement, and cultivation of the vine and other vegetable productions, as may to him appear reasonable; and that on the fulfilment of such conditions shall the issuing of grants for the lands be made to depend: *Provided*, That no patent shall be granted for any of the lands aforesaid, nor shall any title be obtained therefor, either at law or in equity, until complete payment shall have been made for the whole four townships, and until they comply with the conditions of the contract, so to be made as aforesaid; nor shall a patent be granted for a greater quantity than six hundred and forty acres to any one person.

The Secretary empowered to make allotment of the lands among individuals, and to stipulate for the cultivation of the vine, etc.

Provide; no patent or title until complete payment for the whole, etc.

No patent for more than 640 acres to one person.

Approved, March 3, 1817.

[See Part II, Nos. 13, 87, 88, 101, 238, 268, 380, 411, 415, 483, 485, 444, 476, 910.]

CHAP. 204.—An act to authorize the appointment of a surveyor for the lands in the northern part of the Mississippi Territory, and the sale of certain lands therein described.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as—*

A surveyor of the lands of the United States to be appointed for that part of the Mississippi Territory described; his duties, etc.

1,500 dolls. per annum compensation to the surveyor.

Lands to be attached to Madison district.

Lands attached to Madison district, with the exception of section No. 16, etc. to be offered for sale, etc.

President to designate the days of sale by proclamation.

Lands not to be sold for less than 2 dolls. per acre.

Lands remaining unsold at public may be disposed of at private sale, etc.

sembled, That a surveyor of the lands of the United States in the Mississippi Territory, lying north of an east and west line, to be drawn from the river Mississippi, through Fort Williams, to the western boundary line of the State of Georgia, shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause the lands above mentioned, which have not already been surveyed, and to which the Indian title has been extinguished, to be surveyed and divided in the manner provided by law for the surveying of the other public lands of the United States in the Mississippi Territory, to do and perform all such acts in relation to the said lands, to transmit plats of survey in the manner, and to fix the compensation of the deputy surveyor, chain-carriers, and axemen, under the same restrictions and limitations of expense in surveying, as is by law directed and provided for the regulation of the powers and duties of the surveyor of the lands south of the State of Tennessee, in relation to the other public lands in the Mississippi Territory. And the said surveyor, appointed in pursuance of this act, shall be entitled to receive for his services one thousand five hundred dollars, as an annual compensation.

SEC. 2. *And be it further enacted*, That all the lands of the United States in the Mississippi Territory, to which the Indian title has been extinguished, lying north of the aforesaid east and west line, and which has not heretofore been offered for sale, shall be attached to and made a part of the land district of Madison, in the said Territory.

SEC. 3. *And be it further enacted*, That all the lands by this act attached to the district of Madison, after having been surveyed according to law, shall, with the exception of the section number sixteen in each township, which shall be reserved for the support of schools therein, and with the further exception of such sections, not exceeding ten in number, as the President shall designate, for the purpose of laying out and establishing towns thereon, be offered for sale, to the highest bidder, under the direction of the register of the land office and the receiver of public moneys, at the place where the land office is kept, and on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose; the sales shall remain open two weeks, and no longer. The lands shall not be sold for less than two dollars an acre; and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been or may be provided for lands sold in the same district. All the lands offered for sale, and remaining unsold at the close of the said public sales, may be disposed of at private sale by the register of the land office, in the same manner, for the same price, and on the same terms and conditions, as are [or] may be provided for the sale of other lands in the same dis-

strict; and patents shall be granted in the same manner and on the same terms as for other lands in the said district.

SEC. 4. *And be it further enacted*, That the register and receiver of public moneys shall each receive five dollars for each day's attendance in directing the public sales directed by this act.

5 dolls. per day to the register and receiver, for attendance.

SEC. 5. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to cause the sections, reserved as aforesaid, for establishing towns thereon, to be laid off into lots, under the direction of the surveyor appointed as aforesaid; and when the survey of the lots shall be completed, plats thereof shall be transmitted to the Commissioner of the General Land Office and the register of the land office, and the lots shall be offered to the highest bidder, at public sale, on such day or days as the President shall, by his proclamation, designate for that purpose, and shall be sold on the same terms and conditions, in every respect, (except as to the quantity of land,) as have or may be provided for the sale of the other public lands in the said district: *Provided*, That no lot shall be sold for a less price than at the rate of six dollars per acre; nor shall there be reserved, for the purpose aforesaid, more than one section in any one township.

The sections reserved to be laid off into lots, etc.

Plats, etc.

Lots to be offered at public sale, etc. To be sold on the same terms as other lands, etc.

Provido; as to the price of each lot. etc.

Approved, March 3, 1817.

[See Part II, Nos. 13, 791, 792, 848, 844, 846, 848, 849, 852, 854, 858, 859, 860, 861, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 893, 898, 903, 904, 914, 915, 918, 929, 940, 949, 953, 955.]

CHAP. 205.—An act making provision for the location of the lands reserved by the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and the Creek nation, to certain chiefs and warriors of that nation, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the chiefs and warriors of the Creek nation who, by virtue of the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and that nation of Indians, are entitled to a reservation of land, which shall include their improvements, shall be authorized to locate said reservation in the following manner, viz:

Chiefs and warriors of the Creek nation authorized to locate their reservations of land.

Every such chief or warrior shall and may select such four quarter sections, or such number of quarter sections and fractional parts of sections, not exceeding six hundred and forty acres of land, as have been or may be surveyed in pursuance of the act of Congress passed the third day of March, one thousand eight hundred and fifteen,* and as shall include their respective improvements. And in case such chief or warrior shall have resided at one place, and cultivated a farm or plantation at another place, he may, at his op-

Manner of location.

*See the act, chap. 177.

Proviso; as to the titled vested.

tion, select such quarter sections and fractional parts of sections as shall include his said separate improvements : *Provided, however*, That the lands so selected shall enure to such chief or warrior so long only as he shall continue to occupy and cultivate the same ; and, in case he shall not have abandoned the possession, shall, on his decease, descend to and vest in his heirs in fee simple, reserving to the widow of such chief or warrior the use and occupation of one third part of said lands during her natural life.

Widows and children to have the right of selection as the original claimant, etc.

SEC. 2. *And be it further enacted*, That when any chief or warrior, so entitled to a reservation of land at the time of the signing of the treaty, shall have since died, and left a widow and child or children, who has or have continued to occupy and cultivate the said land, they shall have the right of selection in the same manner as the original claimant would have if he were living ; and the title of the lands, so selected, shall be a fee simple title in the child or children, reserving to the widow, if any, the use and occupation of one third of the land during her life : *Provided, however*, That the said child or children shall not have the power to alienate the said lands, except by devise, until each and every one of them shall have arrived at the age of twenty-five years.

Proviso; as to the power of alienation in the children.

Descendants of native Creeks who continu'd friendly, etc. entitled to a reservation, etc.

SEC. 3. *And be it further enacted*, That the descendant of any native Creek Indian, male or female, who, at the commencement of the late war with the hostile Creeks, occupied and cultivated a farm or plantation, who continued friendly to the United States during that war, and who, after the termination of hostilities, returned to and has continued to occupy and cultivate the said farm or plantation, shall be entitled to a reservation of two quarter sections of land, to be selected in the manner stated in the first section of this act ; which lands shall enure to them so long as they shall continue to occupy and cultivate the same ; and, on their death, shall descend, in fee, to their children ; and, on failure of children, shall revert to the United States ; reserving, however, to the husband or widow, as the case may be, the right to occupy and cultivate one third part of the lands during their natural lives.

The children of any Creek warrior who resided within the limits, etc. and who was killed, etc. entitled to a reservation, etc.

SEC. 4. *And be it further enacted*, That the child or children of any chief or warrior of the Creek nation, who resided within the limits of the said ceded country at the commencement of the late Creek war, and who was killed or died in the service of the United States during said war, or who has since died of wounds received therein, shall be entitled, without payment, to a reservation of so much land as such chief or warrior would have been entitled to, had he been living at the time said treaty was signed ; which land shall be located in the manner prescribed by the first section of this act.

The agent of the United States for the Creek nation to take evidence, etc.

SEC. 5. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the agent of the United States for the Creek nation shall immediately

proceed to take such evidence as each and every person, who may be entitled to lands under the provisions of it, shall be able to adduce in support of such title. The evidence shall, as far as practicable, be taken by the agent on the land occupied by such claimant; and in all cases where he shall be of opinion that the claim is a valid one, the quarter sections including the improvements shall be designated, as provided for in the first section of this act; and the agent shall, without delay, return to the Secretary of the Treasury the evidence taken in each case, (reserving a copy thereof,) together with the names of the claimants, and the numbers of the quarter sections reserved for them, respectively. And the Secretary of the Treasury, with the approbation of the President, shall finally decide on the validity of such claim.

Evidence, as far as practicable, to be taken on the land, etc.

Agent to return the evidence to the Secretary of the Treasury.

The Secretary of the Treasury to decide finally, etc.

SEC. 6. *And be it further enacted*, That the agent shall transmit, without delay, to the register of the land office for the district in which the lands may be, a statement of the names of the claimants, and the numbers of the quarter sections which have been reserved for each claimant; and the register of the land office shall not offer any such quarter section for sale, unless specially directed otherwise by the Secretary of the Treasury.

The agent to transmit to the register of the land office the names of claimants and numbers of quarter sections, etc.

SEC. 7. *And be it further enacted*, That the agent of the United States shall be allowed, in addition to his salary, the sum of three dollars per day, whilst occupied in performing the duties assigned to him by this act; and he shall be authorized to employ a surveyor, in those cases where it may be necessary, for the purpose of ascertaining the quarter sections of land to be allotted to each claimant.

Three dollars per day to the agent, in addition to salary, etc.

The agent may employ a surveyor, etc.

SEC. 8. *And be it further enacted*, That the expenses which shall be incurred in carrying into effect this act shall be paid out of any moneys in the Treasury not otherwise appropriated.

Expenses to be paid out of money in the Treasury.

Approved, March 3, 1817.

[See Part II, Nos. 47, 78, 249, 250, 542, 791, 792.]

CHAP. 206.—An act allowing further time for entering donation rights to lands in the district of Detroit.*

*Obsolete.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claimants to certain donation rights to land in the district of Detroit, granted by the second [section] of an act entitled "An act to authorize the granting of patents for land, according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes,"† passed the twenty-third of April, one thousand eight hundred and twelve, be, and they are hereby, allowed until the first day of December, one thousand eight hundred and eighteen, to file their

The claimants of certain donation rights to land in the district of Detroit, allowed until the 1st of December, 1818, to file their claims.

†Chapter 132.

claims with the register of the land office for the district aforesaid.*

Approved, March 3, 1817.

*See act of 11th May, 1821, ch. 243.

†See the act, ch. 180.

CHAP. 207.—An act to continue in force an act entitled “An act relating to settlers on lands of the United States.”†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an act entitled “An act relating to settlers on the lands of the United States,”‡ passed the twenty-fifth of March, one thousand eight hundred and sixteen, be, and the same is hereby, continued in force for one year from and after the passage of this act.§

Approved, March 3, 1817.

The act of the 25th March, 1816, continued for one year.

‡Ante, chap. 180.

§Further continued by act of 20th April, 1818; chap. 219, post.

[See Part II, Nos. 1, 16, 106, 119, 205, 206, 207, 208, 213, 229, 267.]

CHAP. 208.—An act to amend the act entitled “An act granting bounties in land and extra pay to certain Canadian volunteers,” passed the fifth of March, one thousand eight hundred and sixteen.¶

¶Expired. For the act, amended, see ante, chap. 179.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the passing of this act, no bounty in land shall be given to any Canadian volunteer, except where it shall appear that the full term of six months' service shall have been performed in some corps in the United States service, and whose names shall appear upon the muster-rolls of such corps: *Provided,* That where it shall appear that the said term of service had not been performed by reason of wounds received in battle, or other disabilities occasioned by the performance of his duty while in such corps, such claimant shall be considered as having performed the full term of service for which he had engaged.

Six months' service and name on the muster-roll a condition of bounty.

¶Provided; where it shall appear the term of service had not been performed in consequence of wounds, etc.

Warrants to be located on lands offered at public sale.

¶Ante, chap. 179.

SEC. 2. *And be it further enacted,* That all warrants issued in pursuance of the act entitled “An act granting bounties in land and extra pay to certain Canadian volunteers,”¶ and which have not been located, and those which shall be issued in pursuance of this act, shall be located on such lands as have been offered at public sale according to law, and no other.

Rates of bounty to grades specified.

SEC. 3. *And be it further enacted,* That instead of the bounty given in the act hereby amended, the following rates shall be given: For a colonel, four hundred and eighty acres; for a major, four hundred and eighty acres; for a captain, three hundred and twenty acres; for a subaltern, three hundred and twenty acres; to a non-commissioned officer, musician, or private, one hundred and sixty acres; and to the medical and other staff, in proportion to their pay.

SEC. 4. *And be it further enacted*, That all such parts of the act hereby amended, as shall be inconsistent with or contravene the provisions of this act, are hereby repealed. Contrary provisions of former act repealed.

SEC. 5. *And be it further enacted*, That this act, together with the act hereby amended, shall continue and be in force for the term of one year, and no longer. This and former act in force for a year.

Approved, March 3, 1817.

[See Part II, Nos. 8, 14, 40.]

CHAP. 209.—An act making provision for the establishment of additional land offices in the Territory of Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the disposal of the lands of the United States west of the Mississippi river and in the Territory of Missouri, in addition to the land office now established by law, there shall be established within the said Territory the following offices, to wit: One at the seat of justice in the county of Howard, for all the lands lying within the following boundaries: beginning at a point where the western line of range ten, west from the fifth principal meridian, intersects the north line of township thirty-four; thence, west, with said township line, to where the same intersects the Osage boundary line; thence, north, with the Osage boundary line, to the Missouri river; thence, up and with the Missouri river, to the western Indian boundary line at the mouth of Kansas river; thence, north, with the said western Indian boundary line, to where the same shall intersect the northern Indian boundary line; thence, east, with the said northern Indian boundary, to where the same shall intersect the aforesaid west line of range ten; thence, south, with the said range line, to the place of beginning. And a land office shall be established in the county of Arkansas, at such place as the President shall deem most convenient, for all the lands in the district bounded as follows: beginning on the river Mississippi, at the thirty-third degree of north latitude; thence, up and with the Mississippi river, to the mouth of St. Francis river, where the base line intersects the same; thence, west, with the said base line, to where the same shall intersect the meridian on which the Osage boundary line is run; thence, due south, to the thirty-third parallel of latitude; thence, east, with the said parallel, to the place of beginning. And a land office shall be established at the seat of justice in the county of Lawrence,* for all the lands in the district bounded as follows: beginning on the base line at the mouth of St. Francis; thence, up and with the Mississippi river, to the intersection of the same by the north line of township fifteen north; thence, west, with the said north line of township fifteen, to where the same shall intersect the Osage boundary line;

A land office at the seat of justice in the county of Howard.

A land office in the county of Arkansas.

A land office at the seat of justice in the county of Lawrence.

*Repealed. The President may establish the land office at any suitable place. See act of 2d March, 1821; chap. 257, post.

A land office at the town of Jackson.

thence, due south, to the aforesaid base line; thence, east, with the said base line, to the place of beginning. And a land office shall be established at the town of Jackson, in the county of Cape Girardeau, for all the lands in the district bounded as follows: beginning on the Mississippi river, where the north line of township fifteen north intersects the same; thence, up and with the Mississippi, to its intersection by the north line of township thirty-four north; thence, west, with the said north line of township thirty-four, to the Osage boundary line; thence, south, with the said boundary, to the north line of township fifteen; thence, east, with the said township line, to the place of beginning. And all the lands with-

District of the land office at St. Louis.

in the following boundaries shall form a district for the land office established by law at St. Louis, in the county of St. Louis, viz: beginning on the Mississippi river, where the north line of township thirty-four north intersects the same; thence, up and with the Mississippi river, to the mouth of Desmoine river; thence, up and with the Desmoine, to the north Indian boundary line; thence, west, with the said boundary, to the west line of range ten west; thence, south, with said range line, to the north line of township thirty-four north; thence, east, with the said township line, to the place of beginning.

Time of opening the land offices, etc.

SEC. 2. *And be it further enacted*, That so soon as, in the opinion of the President of the United States, there shall be a sufficient quantity of the public lands surveyed, within all or either of the land districts hereby established, to authorize the opening of all or either of the land offices aforesaid, he shall cause the same to be opened, and shall proceed from time to time to appoint, with the advice and consent of the Senate, for each of the said offices, a register and a receiver of public moneys, who shall give security in the same sums and in the same manner, and whose compensation, emoluments, and duties, and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the lands of the United States northwest of the river Ohio and above the mouth of the Kentucky river.

Whenever a land office shall have been established, etc. the President to direct lands to be offered for sale, etc.

SEC. 3. *And be it further enacted*, That whenever a land office shall have been established in any of the districts aforesaid, and a register and receiver of public moneys appointed for the same, the President of the United States shall be, and he is hereby, authorized to direct so much of the public lands lying in such district as shall have been surveyed according to law, to be offered for sale, with the same reservations and exceptions, and on the same terms and conditions in every respect, as was provided for the sale of the public lands in the Territory of Louisiana, by the tenth section of an act entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the

Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February ~~six~~-teenth, one thousand eight hundred and eleven,"* except that the register and receiver of public moneys alone may be competent to superintend the public sales, and that, instead of one township for the support of a seminary of learning, there shall be two townships located for the purpose by the Secretary of the Treasury, and reserved from sale: *Provided*, That one of said townships shall be located on the waters of the Missouri, and the other on the waters of the Arkansas.

*Chapter 116.

2 townships for the support of a seminary of learning; provided, etc.

Approved, February 17, 1816.

[See Part II, Nos. 23, 64, 93, 446, 714, 799, 828, 836, 837, 842, 855, 884, 933, 945, 946, 958, 1,018.]

CHAP. 210.—An act to authorize certain purchasers of public land to withdraw their entries and transfer the moneys paid thereon.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following persons shall be permitted to withdraw their respective entries, made with the register of the land office for the district of Jeffersonville, for the purchase of land in said district, viz: Abraham Wiseman, for the northeast and northwest quarters of section four, township four south, range one east; John Bones, for the northwest quarter of section thirty-four, township three south, range one east; Gory Jones, for the southeast quarter of section four, township four south, range one east; Abraham Van Winkell, for the northwest quarter of section three, township four south, range one east; and Joseph Tibbs, for the northeast quarter of section twenty-eight, township three south, range one east. And the receiver of public moneys for the said district shall be authorized to allow to any of the said persons, who shall withdraw his entry as aforesaid, a credit on any purchase he shall or may have made of other public lands in the same district, for the moneys paid on the entry by him withdrawn: *Provided*, That the said entries shall not be withdrawn until it shall be made appear, to the satisfaction of the register and receiver of public moneys for the said district, that the said entries, or either of them, were made in mistake, in consequence of the erroneous marks of the surveyor; and in case of patents having been granted, the same shall be returned to the register, and by him to the General Land Office, and shall be there cancelled.

Persons permitted to withdraw their entries from the land office for Jeffersonville.

A. Wiseman.

John Bones.

Gory Jones.

A. Van Winkell.

Joseph Tibbs.

Receiver to allow credit for other lands, etc.

Proviso: entries must have been made in mistake, from erroneous marks, etc.

Patents to be returned, etc.

Approved, March 9, 1818.

QHAP. 211.—An act supplementary to the act entitled “An act further extending the time for issuing and locating military land warrants, and for other purposes.”*

*Original act, ante chapter 181. Time further extended, chap. 236.

Time for issuing military land warrants extended to 1st of March, 1819.

Time for locating unlocated warrants extended to 1st October, 1819.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the time limited by the act passed on the sixteenth day of April, one thousand eight hundred and sixteen, and to which this is a supplement, for issuing military land warrants, shall be extended to the first day of March, one thousand eight hundred and nineteen; and the time limited by the said act for the location of unlocated military land warrants shall be extended to the first day of October, one thousand eight hundred and nineteen.

Approved, March 9, 1818.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237, 316.]

CHAP. 212.—An act providing for the sale of certain lands in the district of Marietta, and for the location of claims and sale of certain lands in the district of Vincennes.

The surveyor general to require Rufus Putman, etc. to make a report of lands conveyed, etc.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of ascertaining the quantity and providing for the sale of the lands belonging to the United States within the limits of a tract of one hundred thousand acres, granted to Rufus Putman, Manassah Cutler, Robert Oliver, and Griffin Green, in trust for the persons composing the Ohio Company of Associates, in pursuance of the third section of an act entitled “An act authorizing the grant and conveyance of certain lands to the Ohio Company of Associates,”† passed on the twenty-first of April, seventeen hundred and ninety-two, it shall be the duty of the surveyor general, and he is hereby authorized, to require of the said Rufus Putman, and other surviving patentees, in trust as aforesaid, to make a report to him of the quantity and situation of the lands by them conveyed, as bounties, to actual settlers, according to the conditions of the said third section and grant aforesaid; and, also, a duly attested copy of the field notes and plat of the surveys of the lands by them conveyed to actual settlers as aforesaid. And the surveyor general, on receiving a satisfactory report of the quantity and situation of the lands so conveyed, shall cause the residue of the lands within the said tract to be surveyed in the same manner as the other public lands; or, if he shall deem it more convenient, into tracts of one hundred acres, conforming, as far as practicable, to the plan on which lots granted to actual settlers were laid off; and he shall make return of the surveys to the General Land Office and the register of the land office at Marietta.

†Chapter 37.

Copy of field notes and plat of surveys.

Surveyor general to cause the residue of the lands to be surveyed, etc.

Return of surveys to the General Land Office, etc.

SEC. 2. *And be it further enacted*, That every person, or their legal representatives, whose claims were confirmed by any of the several acts for confirming claims to land in the district of Vincennes, and which claims have not been located, shall be authorized to enter their locations, with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in the said district, by virtue of an act entitled "An act respecting claims to land in the Indiana Territory and State of Ohio,"* and in conformity to the provision of that act, and shall be entitled to receive certificates and patents in the same manner as provided by former laws respecting locations in the same tract: *Provided*, That the locations authorized by this act, and those authorized by an act entitled "An act for the relief of certain claimants to land in the district of Vincennes,"† passed on the sixteenth of April, one thousand eight hundred and sixteen, shall be made before the first day of September next; and after the said locations shall have been made, and the surveys thereon completed, the surveyor general shall cause the residue of the said tract to be surveyed, conforming, as far as practicable, to the plan for surveying the other public lands; and he shall make a return of the surveys to the General Land Office and to the register of the land office at Vincennes.

Confirmed claims to land in the district of Vincennes may be located on the tract set apart, etc.

§ 1209

Previous locations to be made before 1st Sept. 1818.

† Ante, chap. 182.

Residue of tract to be surveyed.

Return of surveys, etc.

SEC. 3. *And be it further enacted*, That such part of the tract described by the first section of this act as shall appear to belong to the United States shall be offered for sale at Marietta; and such part of the tract described by the second section of this act as shall not have been located under confirmed claims shall be offered for sale at Vincennes. The said lands, in the said respective tracts, with the exception of the usual proportion for the support of schools, shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public moneys for the said districts, on such days, respectively, as shall, by proclamation of the President, be designated for that purpose; the sales at each place shall remain open six days, and no longer; the lands shall not be sold for less than two dollars an acre, and shall, in every other respect, both as to public and private sales, be sold on the same terms and conditions as other public lands in the same districts; and patents shall be obtained in the manner and on the terms provided in case of other public lands sold by the United States.

Part of one tract to be sold at Marietta and part of the other at Vincennes.

To the highest bidder, etc.

Days of sale.

Sales open six days.
Price.

Patents.

SEC. 4. *And be it further enacted*, That the superintendents of the public sales directed by this act shall each receive four dollars a day for each day's attendance on the said sales.

4 dolla. a day to superintendents.

Approved, March 18, 1818.

[See Part II, Nos. 13, 288.]

CHAP 213.—An act extending the time for obtaining military land warrants in certain cases.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provision of the second section of the act entitled "An act to provide for designating, surveying, and granting, the military bounty lands,"* passed on the sixth day of May, one thousand eight hundred and twelve, which limits the time within which persons entitled to military bounty lands shall make their application for a land warrant to five years from and after such person shall become entitled thereto, shall not be construed to apply to, affect, or bar, any application for a military land warrant which may be made by the heirs and representatives of a deceased person, who was entitled thereto by services performed in the late war, or application by the heirs and representatives of any non-commissioned officer or soldier killed in action, or who died in the actual service of the United States, and entitled by existing laws to a bounty in lands; but the heirs and representatives of such persons shall be allowed to make their applications therefor at any time before the first day of May, one thousand eight hundred and twenty, any act to the contrary notwithstanding.

The 2d section of the act referred to, not to apply to the heirs, etc. of persons killed, etc.

* Chap. 138.

The heirs, etc. of such persons may make applications until 1st May, 1820.

Approved, March 27, 1818.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 214.—An act supplementary to the act entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same,"† passed the eighteenth of April, one thousand eight hundred and six.

†Orig. act, chap. 82.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the State of Tennessee to issue grants and perfect titles on all special entries and locations of lands in the said State, made pursuant to the laws of North Carolina, before the twenty-fifth day of February, in the year one thousand seven hundred and ninety, which were good and valid in law, and recognised by the act of the said State of North Carolina, commonly called the cession act, passed the ——— day of December, one thousand seven hundred and eighty-nine, and which lie west and south of the line described in the act to which this is supplementary; and also to issue grants and perfect titles on all warrants of survey, interfering entries, and locations, which might be removed by the cession act of North Carolina aforesaid, and which are good and valid in law, and which have not been actually located or granted, east and north of the aforesaid line; and all interfering grants which are good and valid

The State of Tennessee may issue grants, etc. on all entries, etc. made pursuant to the laws of North Carolina, before the 25th of Feb. 1790, which were valid, and lie west and south of the line described, etc.

And may issue grants on warrants of survey, etc. which might be removed by the cession act, etc.

in law, or the warrants or certificates legally issued, in consequence of such interference, on land lying south and west of the said line, in the manner and under the same or similar rules, regulations, and restrictions, as are prescribed by the laws now in force in the said State of Tennessee, for issuing grants and perfecting titles on claims of a like nature for lands lying north and east of the said line.

And all interfering grants, etc. under the same rules, etc.

SEC. 2. *And be it further enacted*, That, previous to issuing a grant or perfecting a title on any of the claims herebefore described, the warrant or other legal evidence of such claim shall be laid before the commissioner of land claims for West Tennessee for the time being, appointed by the authority of the said State, and approved by him as valid, upon sufficient legal evidence being adduced of such validity, according to the rules and regulations prescribed by the laws of the said State now in force, for deciding on warrants and other land claims of the like nature, authorized to be perfected into grants north and west of the aforesaid line; and upon such warrant or other legal evidence of any of the claims aforesaid being declared valid by said commissioner, it shall be lawful for the surveyor of the proper district or county to lay off and survey the same in the manner prescribed by the laws of the said State in similar cases, and return such survey to the register of the land office of West Tennessee, who shall thereupon be authorized to make out a grant thereon, to be executed by the Governor, and countersigned by the Secretary, of the said State, in the manner provided by the laws of the same: *Provided*, That no surveys shall be made, grants issued, or titles perfected, by virtue of this act, for any land to which the Indian claim has not been previously extinguished.

Previous to issuing a grant, etc. the warrant, etc. must be laid before the commissioner of land claims for West Tennessee, etc.

The warrant etc. being declared valid, the land to be laid off by the surveyor, etc.

Grant to be executed by the Governor, or, etc.

Provided; the Indian claim must have been extinguished.

SEC. 3. *And be it further enacted*, That those persons who have had surveys made, and obtained grants from the State of North Carolina, since the twenty-third day of December, in the year of our Lord one thousand eight hundred and eleven, for lands lying within the State of Tennessee, shall, upon surrendering such grants to the said commissioner of land claims for West Tennessee for the time being, to be cancelled and vacated, be allowed to produce the entries, warrants, or other evidences of claims, upon which such grants were founded; and if the said claims shall be deemed good and valid by the said commissioner, then it shall be lawful for the State of Tennessee to issue grants and perfect titles on such claims, in the same manner as if no such grants had been issued by the State of North Carolina.

Persons who have had grants from North Carolina since the 23d Dec. 1811, for lands in Tennessee, on surrendering them to be cancelled, may obtain grants from Tennessee.

Approved, April 4, 1818.

CHAP. 215.—An act limiting the time for claims being produced for lands authorized to be granted to the inhabitants of New Madrid.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Persons claiming lands in virtue of the act mentioned, to make application, etc. on or before the 1st of January, 1819.

*Chapter 174.

Recorder not to issue certificate where the evidence has not been produced within the time.

assembled, That every person claiming lands in virtue of the act entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes,"* passed on the seventeenth day of February, one thousand eight hundred and fifteen, shall make application therefor, and produce evidence in support of his claim, to the recorder of land titles for the said Territory, on or before the first day of January next; and the said recorder shall not issue a certificate for any claim as aforesaid, the evidence in support of which shall not have been produced to him within the time limited as aforesaid.

Approved, April 9, 1818.

[See Part II, Nos. 10, 11, 12, 15, 17, 23, 62, 241, 256.]

†See act of the 9th of Feb. 1821; chap. 282, post.

CHAP. 216.—An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office, and for designating the western boundary line of the Virginia military tract.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers of the Virginia line on continental establishment, their heirs and assigns, entitled to bounty lands within the Virginia military tract, between the Little Miami and the Sciota rivers, shall be allowed a further term of two years, from the ratification of any treaty extinguishing the Indian title to lands within the said boundaries not heretofore extinguished, to obtain warrants and complete their locations; and a further term of three years from the ratification of any treaty extinguishing the Indian title to lands within the said boundaries not heretofore extinguished, as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the General Land Office, any thing in any former act to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the provisions of the act entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants,"‡ passed on the third day of March, one thousand eight hundred and seven, shall be revived and in force, with all its restrictions, except that the respective times allowed for making locations and returning surveys thereon shall be limited to the terms prescribed by the first section of this act for the location and return of surveys on other warrants, and that the surveys shall be returned to the General Land Office: *Provided*, That no locations, as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of lands for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered null and void: *Provided, also*, That no locations or surveys shall be made

Office, and soldiers of the Virginia line entitled to bounty lands, allowed two years from the ratification of any treaty extinguishing Indian title, etc. to obtain warrants, etc.

And three years to return their surveys, etc.

The act authorizing patents to issue for lands surveyed in virtue of Virginia resolution warrants, revived, etc. except, etc.

‡Chapter 89.

Proviso; no location on tracts for which patents had previously been issued or which had been surveyed, etc.

within that part of the said military tract to which the Indian title remained heretofore unextinguished, until after six months shall have elapsed from the date of a proclamation of the President of the United States, declaring a treaty or treaties to have been concluded and ratified, providing for the extinguishment of the Indian title to such lands; nor shall any patent be granted for any location, survey, or entry, that has been or shall be made prior to the expiration of six months from and after the ratification of such treaty.

SEC. 3. *And be it further enacted*, That from the source of the Little Miami river to the Indian boundary line established by the treaty of Greenville, in one thousand seven hundred and ninety-five, the line designated as the westerly boundary line of the Virginia tract, by an act of Congress, passed on the twenty-third day of March, one thousand eight hundred and four, entitled "An act to ascertain the boundary of the lands reserved by the State of Virginia northwest of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands,"* shall be considered and held to be such until otherwise directed by law: And from the aforesaid Indian boundary line to the source of the Sciota river, the line run by Charles Roberts, in one thousand eight hundred and twelve, in pursuance of instructions from the commissioners appointed on the part of the United States, to establish the western boundary of the said military tract, shall be considered and held to be the westerly boundary line thereof; and that no patent shall be granted on any location and survey that has or may be made west of the aforesaid respective lines.

Approved, April 11, 1818.

[See Part II, Nos. 2, 6, 35, 37, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

Provided, no locations or surveys within that part of the military tract, etc. until 6 months after date of proclamation of a treaty extinguishing Indian title; nor, etc.

The line designated by the act of 23d March, 1804, to remain the westerly boundary line of the Virginia tract, until otherwise directed by law.

*Chapter 68.

The line run by Charles Roberts in 1812 to be considered the westerly boundary, from the Indian boundary line to the source of the Sciota river.

No patents for locations west of the lines.

CHAP. 217.—An act to enable the people of the Illinois Territory to form a constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States.

SEC. 6.† *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said Territory of Illinois, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States and the said State.

First. That section numbered sixteen, in every township, and, when such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State, for the use of the inhabitants of such township, for the use of schools.

Second. That all salt springs within such State, and the land reserved for the use of the same, shall be granted to

†The first five sections irrelevant.

Propositions offered to the convention of Illinois.

1. Section No. 16, in every township, etc. for schools.

2. Salt springs and land reserved, etc. granted to the State, etc.

Provided, salt springs not to be leased for more than 10 years at one time.

3. Five per cent. nett proceeds of sales of public lands within the State, reserved.

Two fifths for roads.

The residue to encourage learning, and one sixth of it for a college, etc.

4. Thirty-six sections, to be designated by the President, for the use of a seminary of learning.

Provided, the four preceding propositions are on condition that lands sold by the U. States shall be free from taxes for 5 years.

And military bounty lands, whilst held by the patentees or their heirs, to be free from taxes for three years.

Nonresident citizens' lands not to be taxed higher than those of residents.

Additional territory added to Michigan after Illinois is form'd into a State, subject to the disposition of Congress, etc.

the said State, for the use of the said State, and the same to be used under such terms, and conditions, and regulations, as the Legislature of the said State shall direct: *Provided*, The Legislature shall never sell nor lease the same for a longer period than ten years at any one time.

Third. That five per cent. of the nett proceeds of the lands lying within such State, and which shall be sold by Congress, from and after the first day of January, one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for the purposes following, viz: two fifths to be disbursed, under the direction of Congress, in making roads leading to the State; the residue to be appropriated, by the Legislature of the State, for the encouragement of learning, of which one sixth part shall be exclusively bestowed on a college or university.

Fourth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the Legislature of the said State, to be appropriated solely to the use of such seminary by the said Legislature: *Provided, always*, That the four foregoing propositions, herein offered, are on the conditions that the convention of the said State shall provide, by an ordinance irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January, one thousand eight hundred and nineteen, shall remain exempt from any tax laid by order or under any authority of the State, whether for State, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale; *And, further*, (1) That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt, as aforesaid, from all taxes, for the term of three years from and after the date of the patents, respectively; and that all the lands belonging to the citizens of the United States, residing without the said State, shall never be taxed higher than lands belonging to persons residing therein.

SEC. 7. *And be it further enacted*, That all that part of the territory of the United States lying north of the State of Indiana, and which was included in the former Indiana Territory, together with that part of the Illinois Territory which is situated north of, and not included within, the boundaries prescribed by this act, to the State thereby authorized to be formed, shall be, and hereby is, attached to and made a part of the Michigan Territory, from and after the formation of the said State; subject, nevertheless, to be hereafter disposed of by Congress, according to the right reserved in the

fifth article of the ordinance aforesaid;* and the inhabitants therein shall be entitled to the same privileges and immunities, and subject to the same rules and regulations, in all respects, with the other citizens of the Michigan Territory.

Approved, April 18, 1818.

[See Part II, No. 445.]

CHAP. 218.—An act to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment thereon.†

†Obsolete.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the operation of the sixth condition of the fifth section of the act entitled “An act to amend the act entitled ‘An act providing for the sale of the lands of the United States northwest of the Ohio and above the mouth of Kentucky river,’”‡ be, and the same is hereby, suspended until the thirty-first day of March next, in favor of the purchasers of public lands at any of the land offices of the United States:§ *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres of land.

Approved, April 18, 1818.

[See Part II, No. 13.]

CHAP. 219.—An act to continue in force an act entitled, “An act relating to settlers on lands of the United States.”||

||Obsolete. See the act, continued, ante, chap. 180.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That an act entitled “An act relating to settlers on the lands of the United States,”¶ passed the twenty-fifth of March, one thousand eight hundred and sixteen, be, and the same is hereby, continued in force for one year from and after the third day of March last.

Approved, April 20, 1818.

The act relating to settlers on the lands of the United States continued until 3d March, 1819.

¶Ante, chap. 180.

[See Part II, Nos. 1, 16, 106, 119, 205, 206, 207, 208, 213, 229, 267.]

CHAP. 220.—An act authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States shall have power, and he is hereby authorized, whenever, in his opinion, it shall be consistent with the public interest to abandon

The President may abandon the use of the navy arsenal, military hospital, and barracks, in N. Orleans, and of Fort Charlotte, at Mobile, and cause the ground whereon they stand to be laid off into lots, etc.

A plat thereof to the Secretary of the Treasury, etc.

The lots to be offered at public sale, etc.

The President may cause Fort Saint Charles to be demolished, and navy yard to be discontinued.

A public square.

the use of the navy arsenal, military hospital, and barracks, in the city of New Orleans, and of Fort Charlotte, at the town of Mobile, to cause the lots of ground whereon the said arsenal, hospital, and barracks, in New Orleans, and Fort Charlotte, at Mobile, now stand, to be surveyed and laid off into lots, with suitable streets and avenues, conforming, as near as may be, to the original plan of the city and town aforesaid; and, when the surveys are completed, one plat thereof shall be returned to the Secretary of the Treasury, and another to such officer or agent as the President shall have authorized to dispose of the said lots; and the said lots of ground shall be offered at public sale at the city of New Orleans and town of Mobile, respectively, on such day or days as the President shall, by his proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as is provided by law for the sale of public lands of the United States; and patents shall be granted therefor as for other public lands sold by the United States.

SEC. 2. *And be it further enacted*, That the President of the United States is hereby authorized, as soon as in his opinion the public interest will permit, to cause the Fort St. Charles to be demolished, and the navy yard in said city to be discontinued; and the lot of ground on which the said fort is erected shall be appropriated to the use of a public square, and may be improved for that purpose by order of the corporation of the said city.

Approved, April 20, 1818.

[See Part II, No. 9.]

CHAP. 221.—An act for changing the compensation of receivers and registers of the land offices.

Instead of present compensation, receivers to be paid an annual salary of 500 dollars each, and commission of 1 per cent. etc.

Proviso; whole amount not to exceed 3,000 dolls. a year.

Registers to receive, each, 500 dolls. per annum, and commission of 1 per cent. etc.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, instead of the compensation now allowed by law to the receivers of public moneys for the lands of the United States, they shall receive an annual salary of five hundred dollars each, and a commission of one per centum on the moneys received, as a compensation for clerk hire, receiving, safe keeping, and transmitting, such moneys to the Treasury of the United States: *Provided, always*, That the whole amount which any receiver of public moneys shall receive, under the provisions of this act, shall not exceed, for any one year, the sum of three thousand dollars.

SEC. 2. *And be it further enacted*, That, instead of the compensation now allowed by law to the registers of the land offices, they shall receive an annual salary of five hundred dollars each, and a commission of one per centum on all the moneys expressed in the receipts by them filed and entered,

and of which they shall have transmitted an account to the Secretary of the Treasury: *Provided, always,* That the whole amount which any register of the land offices shall receive, under the provisions of this act, shall not exceed, for any one year, the sum of three thousand dollars.

Approved, April 20, 1818.

[See Part II, Nos. 440, 442.]

Proviso; whole amount not to exceed 3,000 dollars a year.

CHAP. 222.—An act respecting the surveying and sale of the public lands in the Alabama Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the powers and duties of the surveyor for the lands in the northern part of the late Mississippi Territory shall extend to the whole of the Alabama Territory, and that only. And it shall be his duty to cause such of the said lands, to which the Indian title has been or shall hereafter be extinguished, as the President of the United States shall direct, to be surveyed and divided in the same manner and under the same regulations as are provided by law in relation to other public lands. And the said surveyor shall receive for his services, hereafter, an annual compensation of two thousand dollars, and shall be allowed not exceeding two clerks, whose whole compensation shall not exceed fifteen hundred dollars per annum.

The powers of the surveyor of the northern part of Mississippi limited to Alabama.

Lands to which Indian title has been extinguished to be surveyed as the President directs.

2,000 dollars per annum to the surveyor, and two clerks at 1,500 dollars a year in all.

SEC. 2. *And be it further enacted,* That in every public sale hereafter to be made of public lands, in the Territory of Alabama, there shall, in addition to the usual reservation of section sixteen, in each township, for the support of schools, be excepted from the sales such sections, not exceeding ten in any one land district, as the President of the United States shall have designated, for the purpose of laying out and establishing towns thereon; which sections, so designated and reserved, for the purpose aforesaid, shall be laid off into lots, and offered for sale, in the manner, and on the terms and conditions, and with the same limitations as to price, as is prescribed for the laying off and sale of lots, by the fifth section of the act entitled "An act to authorize the appointment of a surveyor for the lands in the northern part of the Mississippi Territory, and the sale of certain lands therein described,"* passed on the third of March, one thousand eight hundred and seventeen. And there shall be reserved from sale, in the Alabama Territory, an entire township, which shall be located by the Secretary of the Treasury, for the support of a seminary of learning within the said Territory; and, also, any one entire section, which may be located under the direction of the Governor of the said Territory, for the seat of Government therein.

Not exceeding ten sections, besides the school section, as the President may designate, to be excepted from sale, on which to build towns.

The ten sections to be laid off into lots, offered for sale, etc.

**Ante, chap. 204.*

An entire township to be located for the support of a seminary of learning, and a section for the seat of Government.

SEC. 3. *And be it further enacted,* That all the lands lying

Lands attached to the district east of Pearl river.

The lands attached to the district east of Pearl river, after having been surveyed, to be sold, except No. 16, and other reservations, etc.

The President to designate the time of sale.

Price, etc.

Lands offered, and not sold, may be disposed of at private sale, etc.

Patents, etc.

between the basis meridian and the first standard meridian, in the Alabama district, be attached to the land district east of Pearl river. And the lands so attached to the said district east of Pearl river, after having been surveyed according to law, shall, with the exception of section number sixteen in each township, which shall be reserved for the support of schools therein, and with the further exception of such reservations as may be made in pursuance of the second section of this act, shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public moneys, at the place where the land office is kept, and on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the sale shall remain open two weeks, and no longer. The lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been or may be provided for lands sold in the same district. All the lands offered for sale, and remaining unsold at the close of the said public sales, may be disposed of at private sale, by the register of the land office, in the same manner and on the same terms and conditions as are or may be provided for the sale of other lands in the same district: and patents shall be granted in the same manner and on the same terms as for other lands in the said district.

Approved, April 20, 1818.

[See Part II, Nos. 13, 41, 398, 611, 816, 816.]

CHAP. 223.—An act to adjust the claims to lots in the town of Vincennes, and for the sale of the land appropriated as a common for the use of the inhabitants of the said town.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

The trustees of Vincennes authorized to adjust claims to lots in that town.

If lots are found within the precincts to which individual claims cannot be substantiated, they are granted to the inhabitants, and may be sold, etc.

The trustees may give deeds, etc.

That the trustees of the town of Vincennes shall have power, and they are hereby authorized, to examine and adjust all claims to lots in the town of Vincennes; and if, upon an accurate survey, it shall be found that there are lots within the precincts of the town to which no individual claims can be substantiated, the same are hereby granted to the inhabitants thereof, to be sold by the trustees, and the money arising from the sale to be applied to such public purposes as may be agreed upon by a majority of the citizens. And the said trustees are hereby empowered, in all cases when they shall confirm claims to lots, to give deeds to the claimants for the same.

The trustees empowered to dispose of a tract of land which, by act of 3d March, 1791, was appropriated as a common.

SEC. 2. *And be it further enacted,* That the trustees of the town of Vincennes shall have power, and they are hereby authorized, to dispose of a tract of land containing about five thousand four hundred acres, which, by the fifth section

of the act entitled "An act for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the Territory northwest of the Ohio, and for confirming them in their possessions,"* passed on the third day of March, one thousand seven hundred and ninety-one, was appropriated as a common, to the use of the inhabitants of the said town: the said tract shall be divided into lots, as the trustees shall direct, of not more than fifty nor less than the quantity of five acres, and shall be sold in the manner and on the terms which may by them be deemed most expedient and advantageous. They shall also have power to convey, by complete title, the lots sold to the purchasers; and the proceeds of the lands so disposed of, or so much thereof as may be necessary for the purpose, shall be applied, under the direction of the said trustees, to the draining of a pond in the vicinity of the town; and the residue of the money arising from the said sales, if any there be, shall be paid over to the trustees of the Vincennes University, and shall, by them, be applied to the benefit of the said university.

*Chapter 34.

The tract to be divided into lots, and sold, etc.

Trustees empowered to convey, etc. Proceeds to be applied to the draining of a pond.

Residue, if any, to Vincennes University.

Trustees to report to Congress.

SEC. 3. *And be it further enacted*, That the said trustees, when they shall have performed the duties assigned to them under this act, shall make a report thereof to Congress.

Approved, April 20, 1818.

CHAP. 224.—An act authorizing the President of the United States to purchase the lands reserved by the act of the third of March, eighteen hundred and seventeen, to certain chiefs, warriors, or other Indians, of the Creek nation.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the President of the United States to purchase, for and on behalf of the United States, any tract or tracts of land reserved, by the act of the third day of March, eighteen hundred and seventeen,† to the chiefs, warriors, or other Indians, of the Creek nation, which they, or either of them, may be disposed to sell; and the amount of such purchase shall be paid out of any money in the Treasury not otherwise appropriated.

The President may purchase any tract of land reserved, by act of 3d of March, 1817, to the Creeks.

†Ante, chap. 205.

SEC. 2. *And be it further enacted*, That any tract or tracts of land, the title of which may be acquired by the United States by virtue of this act, shall be offered at public sale, at the land offices of the district in which they may be situated, upon such day or days as the President shall, by proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as is provided by law for the sale of public lands of the United States; and patents shall be granted therefor, as for other public lands and town lots sold by the United States.

Lands acquired by virtue of this act to be offered for sale upon such days as the President may designate.

Approved, February 20, 1819.

[See Part II, No. 13.]

CHAP. 225.—An act providing for a grant of land for the seat of Government in the State of Mississippi, and for the support of a seminary of learning within the said State.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be granted to the State of Mississippi two entire sections of land, or fractional sections, or quarter sections, not exceeding the quantity contained in two entire sections, for a seat of Government in the said State; which land shall be located in one entire tract, at such place as, under the authority of the said State, shall be designated for the seat of Government therein, whenever the Indian title shall have been extinguished thereto, and before the commencement of the public sales of the adjoining and surrounding lands belonging to the United States.

Two sections of land for a seat of Government.

To be located in one entire tract etc.

Another township for the support of a seminary of learning, etc.

To be located by the Secretary of the Treasury, whenever, etc.

This grant in lieu of a township reserved by the act of the 3d of March, 1815.

*Chapter 177.

The township reserved by act of 3d March, 1815, to be sold.

SEC. 2. *And be it further enacted,* That, in addition to the township of land granted for the support of Jefferson College, there shall be granted, in the said State, another township, or a quantity of land equal thereto, to be located in tracts of not less than four entire sections each, which shall be vested in the Legislature of the said State, in trust, for the support of a seminary of learning therein; which lands shall be located by the Secretary of the Treasury of the United States, whenever an extinguishment of Indian title shall be made for lands suitable, in his opinion, for that purpose, in the said State: which grant, hereby provided to be made, shall be considered as made in lieu of a township directed to be reserved by the fifth section of an act entitled "An act to provide for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes,"* passed March three, one thousand eight hundred and fifteen; and which reserve of one township, provided to be made by the aforesaid fifth section of said act, shall be offered for sale in the same manner as the other public lands in the same district.

Approved, February 20, 1819.

[See Part II, No. 611.]

CHAP. 226.—An act allowing further time to complete the issuing and locating of military land warrants.†

†See chapter 254, post.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the authority granted to the Secretary for the Department of War, by the second section of the act to provide for designating, surveying, and granting, the military bounty lands, approved the sixth day of May, one thousand eight hundred and twelve,‡ and by the fourth section of the act making further provision for filling the ranks of the army of the United States, approved December tenth, one thou-

The authority granted to the Secretary of War, by the acts of 6th May, 1812, and 10th Dec. 1814, to issue military bounty land warrants, continued until 4th March, 1824.

‡Chapter 138.

sand eight hundred and fourteen,* to issue warrants for the military land bounties to persons entitled thereto, shall be revived and continued in force for the term of five years from and after the fourth day of March next.

SEC. 2. *And be it further enacted*, That the time limited by the act supplementary to the act further extending the time for issuing and locating military land warrants, and for other purposes, approved March ninth, one thousand eight hundred and eighteen,† for issuing military land warrants, shall be extended to the fourth day of March, one thousand eight hundred and twenty-one,‡ and the time limited by the said act for the location of unlocated military land warrants shall be extended to the first day of October thereafter.§

Approved, February 24, 1819.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

The time limited for issuing and locating military land warrants, by act of 9th March, 1818, extended to 4th March and 1st Oct. 1821.

†Ante, chap. 211.

‡Time further extended to 4th March, 1823, by act of 2d March, 1821; chapter 254.

§Extended to 1st Oct. 1823; see chap. 254.

CHAP. 227.—An act to enable the people of the Alabama Territory to form a constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States.

SEC. 6. || *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said Territory of Alabama, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States :

First. That the section numbered sixteen, in every township, and when such section has been sold, granted, or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such townships, for the use of schools.

Second. That all salt springs within the said Territory, and the lands reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding, in the whole, the quantity contained in thirty-six entire sections, shall be granted to the said State, for the use of the people of the said State; the same to be used under such terms, conditions, and regulations, as the Legislature of the said State shall direct : *Provided*, The said Legislature shall never sell nor lease the same for a longer term than ten years at any one time.

Third. That five per cent. of the nett proceeds of the lands lying within the said Territory, and which shall be sold by Congress from and after the first day of September, in the year one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for making public roads, canals, and improving the navigation of rivers ; of which three fifths shall be applied to those objects within the said State, under the direction of the

||Sections 1, 2, 3, 4, 5, 8, and 9, irrelevant.

Propositions offered to the convention, to be obligatory if accepted.

1. Section No. 16, in every township, for the use of schools.

2. Salt springs and lands for working them granted to the State, for the use of the people.

Proviso; the Legislature not to sell, nor lease for more than ten years.

3. Five per cent. of nett proceeds of land sold after 1st September, 1819, to be reserved for making public roads, canals, &c.

Legislature thereof, and two fifths to the making of a road or roads leading to the said State, under the direction of Congress.

4. An entire township for a seminary of learning, together with the one heretofore reserved.

Fourth. That thirty-six sections, or one entire township, to be designated by the Secretary of the Treasury, under the direction of the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the Legislature of the said State, to be appropriated solely to the use of such seminary by the said Legislature. And

The Secretary of the Treasury may reserve them in small tracts.

Provide; no tract less than two sections.

Provide; irrevocable ordinance, disclaiming right to waste lands.

Waste lands at the sole disposal of the United States.

Tracts of land sold by the U. States to be exempt from taxes for five y^{rs}.

Lands of nonresident citizens not to be taxed higher, &c.

No tax on United States lands.

1,620 acres of land for a seat of Government, in lieu, &c.

*Ante, chap. 222.

the Secretary of the Treasury, under the direction as aforesaid, may reserve the seventy-two sections, or two townships, hereby set apart for the support of a seminary of learning, in small tracts: *Provided*, That no tract shall consist of less than two sections: *And provided, always*, That the said convention shall provide, by an ordinance irrevocable without the consent of the United States, that the people inhabiting the said Territory do agree and declare that they forever disclaim all right and title to the waste or unappropriated lands lying within the said Territory, and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land sold by the United States, after the first day of September, in the year one thousand eight hundred and nineteen, shall be and remain exempt from any tax laid by the order or under the authority of the State, whether for State, county, township, parish, or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof: and that the lands belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the lands belonging to persons residing therein; and that no tax shall be imposed on lands the property of the United States; and that all navigable waters within the said State shall forever remain public highways, free to the citizens of said State and of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State. (1)

SEC. 7. And be it further enacted, That, in lieu of a section of land, provided to be reserved for the seat of Government of the said Territory, by an act entitled "An act respecting the surveying and sale of the public lands in the Alabama Territory,"* there be granted to the said State, for the seat of the Government thereof, a tract of land containing sixteen hundred and twenty acres, and consisting of sundry fractions and a quarter section, in sections thirty-one and thirty-two, in township sixteen, and range ten, and in sections five and six, in township fifteen, and range ten, and in sections twenty-nine and thirty, in the same township and range, lying on both sides of the Alabama and Cahawba rivers, and including the mouth of the river Cahawba, and

(1) See Part II, No. 13.

which heretofore has been reserved from public sale by order of the President of the United States.

Approved, March 2, 1819.

[See Part II, Nos. 54, 411, 793.]

CHAP. 228.—An act establishing a separate Territorial Government in the southern part of the Territory of Missouri.

SEC. 11.* *And be it further enacted*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt from all taxes for the term of three years from and after the date of the patents, respectively.

Approved March 2, 1819.

*The other sections irrelevant.

Military bounty lands exempt from taxes for three years from date of patents, while, &c.

CHAP. 229.—An act in behalf of the Connecticut Asylum for teaching the deaf and dumb.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be granted to the Connecticut Asylum for the education and instruction of deaf and dumb persons, a township of land, or a tract of land equal thereto, to be located, under the direction of the Secretary of the Treasury, in tracts of not less than four entire sections each, in any of the unlocated lands of the United States to which the Indian title has been extinguished; which land shall be and forever remain to the use of said asylum for the education and instruction of deaf and dumb persons; or, if said asylum shall sell said land, which they are authorized to do, the money arising from such sale shall be and remain forever to the same use.

Approved, March 3, 1819.

A township of land granted to the Connecticut Asylum for the deaf and dumb, to be located under the direction of the Secretary of the Treasury, &c.

[See Part II, Nos. 276, 802.]

CHAP. 230.—An act further to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment thereon.†

†Further suspended, by act of 30th March, 1820; chap. 230.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the operation of the sixth condition of the fifth section of the act entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United States northwest of the Ohio and above the mouth of Kentucky river,'"‡ be, and the same is hereby, suspended until the thirty-first day of March, one thousand eight hun-

The operation of the 6th condition of the 5th section of the act for the sale of lands, &c. suspended until 31st March, 1820, in favor of purchasers.

Chapter 230.

Proviso; not to extend to any one purchaser for more than 640 acres.

dred and twenty, in favor of the purchasers of public lands at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres of land.

Approved, March 3, 1819.

[See Part II, No. 13.]

CHAP. 231.—An act respecting the location of certain sections of lands to be granted for the seat of Government in the State of Indiana.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of four sections, provided to be located under the direction of the Legislature of the State of Indiana, and to be granted for the purpose of fixing thereon the seat of Government for that State, it shall be lawful to locate, for that purpose, under the direction of the Legislature aforesaid, any contiguous quarter sections, fractions, or parts of sections, not to exceed, in the whole, the quantity contained in four entire sections. Such locations shall be made before the commencement of the public sales of the adjoining and surrounding lands belonging to the United States.

Instead of four sections, &c. any contiguous quarter sections, fractions, &c. not to exceed four sections, may be located, under the direction of the Legislature.

Locations to be made before public sales.

Approved, March 3, 1819.

[See Part II, No. 611.]

CHAP. 232.—An act explanatory of the act entitled “An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri.”*

*Original act, ch. 162.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the fifth section of the act of Congress entitled “An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri,”† passed the twelfth day of April, one thousand eight hundred and fourteen, shall be so construed as to extend to the citizens of the county of Howard, in the Missouri Territory, as established by the act of the Legislature of the Territory, passed the twenty-third day of January, one thousand eight hundred and sixteen, any construction to the contrary notwithstanding.

The provisions of the 5th section of the act of 12th of April, 1814, to be construed to extend to citizens of Howard county.

†Chapter 162.

The right of pre-emption given by the provisions of the 5th section of the act of 12th of April, 1814, not to affect rights derived from the United States by purchase.

SEC. 2. And be it further enacted, That the right of pre-emption given by the aforesaid provisions, as explained and extended by this act, shall not be so construed as to affect any right derived from the United States, by purchase, at public or private sale, of the lands claimed under the aforesaid act.

SEC. 3. And be it further enacted, That any person or

persons, who have settled on and improved any of the lands in the said Territory, reserved for the use of schools, before the survey of such lands were actually made, and who would have had the right of pre-emption thereto, by the existing laws, had not the same been so reserved, shall have the right of pre-emption thereto, under the same terms and conditions, and subject to the same restrictions, provided for other cases of a right of pre-emption in said Territory; and the register of the land office and receiver of public moneys for the district shall have power to select any other vacant and unappropriated lands in the same township, and as near adjacent as lands of equal quantity and like quality can be obtained, in lieu of the section or parts of a section which shall have been entered in right of pre-emption, according to the provision of this section.

Persons who would have had the right of pre-emption had not the lands been reserved for schools, to have the right of pre-emption, &c.

The register and receiver empowered to select any other unappropriated lands, &c. in lieu of those entered in right of pre-emption.

Approved, March 3, 1819.

[See Part II, Nos. 15, 19, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 246.]

CHAP. 233.—An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands not heretofore offered for sale in the States of Ohio and Indiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the sale of the unappropriated public

lands in the State of Ohio, to which the Indian title is extinguished, the following districts shall be formed, and land offices therefor established: all the public lands, as aforesaid, lying between the western boundary line of the State of Ohio and a north and south line to be drawn at forty-eight miles east of the said boundary line, and bounded on the south by the Indian boundary established by the treaty of Greenville, and on the north by the northern boundary of the State of Ohio, shall form a district, for which a land office shall be established at Piqua: and all the public lands, as aforesaid, lying between the above-described district and the western limits of the Connecticut Reserve and Canton land district as first established, and bounded on the south by the Indian boundary established by the treaty of Greenville, and on the north by the northern boundary of the State of Ohio, shall form a district, for which a land office shall be established at the town of Delaware. And for the disposal of the unappropriated public lands in the State of Indiana, to which the Indian title is extinguished, the following districts shall be formed, and land offices established: all the public lands, as aforesaid, to which the Indian title was extinguished by the treaties concluded at St. Mary's, in the month of October, eighteen hundred and eighteen, lying east of the range line separating the first and second ranges, east of the second principal meridian extended north to the

Districts and offices for the sale of lands to which the Indian title is extinguished, in Ohio.

District and land office at Piqua.

A district and land office at Delaware. Districts and offices for the sale of lands to which the Indian title is extinguished in Indiana.

A district and land office at Brookville.

A district and land office at Terre Haute.

Lands attached to the district of Jeffersonville.

Lands to be offered for sale on the same terms, &c.

Provido; the President may remove the land office at Jeffersonville to a central place.

The President, &c. authorized to appoint a register and receiver for each district—

When a sufficient quantity of public lands have been surveyed, &c.

The registers and receivers to give security, and their duties and emoluments to be the same as the registers and receivers in Ohio and Indiana.

All the public lands to which the Indian title has been extinguished, not granted or reserved, except No. 16, in each township, to be offered for sale—

Under the direction of the register and receiver.

President to designate days of sale.

present Indian boundary, and north of a line to be run separating the ninth and tenth tiers of townships north of the base line, shall form a district, for which a land office shall be established at Brookville: and all the public lands, as aforesaid, the Indian title to which was extinguished by the treaties aforesaid, and lying west of the last-described district, shall form a district, for which a land office shall be established at the town of Terre Haute: and all the public lands, as aforesaid, the Indian title to which was extinguished by the treaties aforesaid, lying east of the second principal meridian, and south of a line, to be run, separating the ninth and tenth tiers of townships north of the base line, shall be, and are hereby, attached to the district of Jeffersonville; and the said lands shall be offered for sale, with the same exceptions, and on the terms and conditions, in every respect, both at public and private sales, as is provided for the sale of the lands in the districts aforesaid: *Provided, also*, That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, the land office from Jeffersonville to some central and suitable place within the district.

SEC. 2. And be it further enacted, That the President is hereby authorized to appoint, by and with the consent and advice of the Senate, for each of the districts aforesaid, a register of the land office and receiver of public moneys; which appointments shall not be made, for any of the aforesaid respective land districts, until a sufficient quantity of public lands shall have been surveyed within such district as to authorize, in the opinion of the President, a public sale of land within the same; which registers of the land office and receivers of public moneys, when appointed, shall each, respectively, give security in the same sums and in the same manner, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in respect to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the public lands of the United States in the States of Ohio and Indiana.

SEC. 3. And be it further enacted, That all the public lands within the aforesaid several districts, to which the Indian title has been extinguished, and which have not been granted to or reserved for the use of any individual or individuals, or appropriated and reserved for any other purpose, by any existing treaties or laws, and, with the exception of section numbered sixteen, in each township, which shall be reserved for the support of schools therein, shall be offered for sale, to the highest bidder, at the land offices for the respective districts, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the sales shall

remain open at each place for three weeks, and no longer ; the lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the sale of lands of the United States in the States of Ohio and Indiana.* All the public lands in the said districts, with these exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, in every respect, as are or may be provided by law for the sale of the lands of the United States in the States of Ohio and Indiana; and patents shall be obtained for the lands sold in the said districts, in the same manner and on the same terms as are or may be by law provided for other public lands sold in the States of Ohio and Indiana.

Sales open for 3 weeks.

Not less than two dollars an acre.

*See act of 24th April, 1820; chap. 240.

Lands remaining unsold at public may be sold at private sale, as provided by law.

Patents in the same manner, &c. as for other public lands in Ohio and Indiana.

The President may remove any of the land offices established by this act, as he may judge proper.

SEC. 4. *And be it further enacted*, That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, any and each of the land offices established by this act, to such suitable place, within the district for which it was established, as he shall judge most proper.

SEC. 5. *And be it further enacted*, That each of the registers of the land office and receivers of public moneys shall receive five dollars for each day's attendance in superintending the public sales in their respective districts.

\$5 to each register and receiver for each day's superintendence of public sales.

Approved, March 3, 1819.

[Sec Part II, Nos. 13, 64, 416, 418, 798.]

CHAP. 234.—An act granting a donation of land to the State of Illinois, for the seat of Government of said State.†

†See act of 2d March, 1821; ch. 256.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be granted to the State of Illinois four sections of land, or contiguous quarter sections and fractions, not exceeding the quantity contained in four entire sections, for the purpose of fixing thereon the seat of Government for the said State; which lands shall be selected in the manner provided by the thirtieth section of the schedule to the constitution of the said State: *Provided*, That such election shall be made before the public sale of the adjoining public lands shall have taken place.

Four sections, of contiguous quarter sections, &c., not exceeding four sections, granted to Illinois for a seat of Government.

To be selected as provided, &c.

Provido; selection before public sale of adjoining lands.

Approved, March 3, 1819.

[See Part II, No. 611.]

CHAP. 235.—An act providing for the correction of errors in making entries of land at the land offices.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in every case of a purchaser of public lands, at private sale, having entered at the land office a tract different from that he intended to purchase, and being desirous of having the error in his entry corrected, he shall make his application for that purpose to the register of the land office; and if it shall appear, from testimony satisfactory to the register and receiver of public moneys, that an error in the entry has been made, and that the same was occasioned by original incorrect marks made by the surveyor, or by the obliteration, or change of the original marks and numbers at corners of the tract of land; or that it has, in any otherwise, arisen from mistake or error of the surveyor, or officers of the land office; the said register and receiver of public moneys shall report the case, with the testimony, and his opinion thereon, to the Secretary of the Treasury, who shall have power to direct, if in his opinion it shall be proper, that the purchaser shall be at liberty to withdraw the entry so erroneously made, and that the moneys which had been paid shall be applied in the purchase of other lands in the same district, or credited in the payment for other lands which shall have been purchased at the same office.

Approved, March 3, 1819.

[See Part II, Nos. 40, 275, 302, 334, 368, 416, 420, 423, 455.]

CHAP. 236.—An act for adjusting the claims to land, and establishing land offices in the districts east of the island of New Orleans.*

*See act of 11th May, 1820, chap. 245.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the claims to land, founded on complete grants from the Spanish Government, reported to the Secretary of the Treasury by the commissioners from the districts east and west of Pearl river, appointed under the authority of an act entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans,"† which are contained in the several reports of the commissioners, and which are, in the opinion of the commissioners, valid, agreeably to the laws, usages, and customs, of the said Government, be, and the same are hereby, recognised as valid and complete titles against any claim on the part of the United States, or right derived from the United States; and that all claims founded on British grants contained in the said reports, which have been sold and conveyed, according to the provisions of the treaty of peace, between Great Britain and

Claims founded on Spanish grants favorably reported to the Secretary of the Treasury by the commissioners from the districts east and west of Pearl river, confirmed, &c.

†Chap. 135.

And on British grants.

Spain, of the third of September, one thousand seven hundred and eighty-three, by which that part of Louisiana lying east of the island of Orleans was ceded to Spain, under the denomination of West Florida, or which were settled and cultivated by the person having the legal title therein at the date of said treaty, are recognised as valid and complete titles, against any claim on the part of the United States, or right derived from the United States.

SEC. 2. *And be it further enacted*, That all claims, reported as aforesaid, and contained in the several reports of the said commissioners, founded on any order of survey, requette, permission to settle, or any written evidence of claim, derived from the Spanish authorities, which ought, in the opinion of the commissioners, to be confirmed, and which, by the said reports, appear to be derived from the Spanish Governments, before the twentieth day of December, one thousand eight hundred and three, and the land claimed to have been cultivated and inhabited on or before that day, shall be confirmed in the same manner as if the title had been completed: *Provided*, That in all such claims, where the plat and certificate of survey, made prior to the fifteenth day of April, one thousand eight hundred and thirteen, under the authority of the Spanish Government, in pursuance of such claim, has not been filed with the said commissioners, such claim shall not be confirmed to any one person for more than twelve hundred and eighty acres; and that, for all the other claims to land comprised in the reports aforesaid, and which ought, in the opinion of the commissioners, to be confirmed, the claimant to such lands shall be entitled to a grant therefor as a donation; *Provided*, That such grant, as a donation, shall not be made to any one person for more than twelve hundred and eighty acres; which confirmation of the said incomplete titles and grants of donations, hereby provided to be made, shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted: *And provided, also*, That no such claim shall be confirmed to any person to whom the title to any tract of land shall have been recognised under the preceding provisions.

Claims under Spanish orders of survey, requette, &c. prior to 20th Dec. 1803, &c. reported favorably, confirmed.

Provido; where plat and certificate of survey have not been filed, &c. the claim not to be confirmed for more than 1,280 acres to one person.

Grants as donations for other claims.

Provido; not more than 1,280 acres to one person.

Confirmation of incomplete titles only a relinquishment forever.

Provido; no confirmation to persons recognised under preceding provisions.

Grants, as donations, in the case of claims in right of settlers, &c. on or before 15th April, 1813, if comprised in the lists, &c.

SEC. 3. *And be it further enacted*, That every person, or his or her legal representative, whose claim is comprised in the lists, or register of claims, reported by the said commissioners, and the persons embraced in the list of actual settlers, or their legal representatives, not having any written evidence of claim reported as aforesaid, shall, where it appears, by the said reports, or by the said lists, that the land claimed or settled on had been actually inhabited or cultivated, by such person or persons in whose right he claims, on or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant, for the land so claimed or settled on, as a donation: *Provided*, That not

Proviso; not more than 640 acres to one person.

No grant for lands recognised by preceding sections.

Pre-emption rights to inhabitants and cultivators on the 12th April, 1814, in the case of lands not claimed by preceding sections.

Proviso; first instalment within two years after opening the land office.

A land office at St. Helena Court-house, and at Jackson Court-house.

A register and receiver of public moneys for each, &c.

Claimants allowed till 1st July, 1830, to deliver notices, evidences, &c. to the registers at Jackson and St. Helena Court-houses.

Notices, &c. delivered in time, to be recorded.

Persons who had filed notices with the commissioner of the land office, &c. whose claims have not been recommended, &c. allowed till 1st Ju-

more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres; and that no lands shall be thus granted which are claimed or recognised by the preceding sections of this act.

SEC. 4. *And be it further enacted*, That every person comprised in the said list of actual settlers, not having any written evidence of claim to land in said districts, and who, on the twelfth day of April, one thousand eight hundred and fourteen, shall have inhabited or cultivated a tract of land in either of the said districts, not claimed by virtue of either of the preceding sections of this act, shall be entitled to a preference, on becoming a purchaser, from the United States, of such tract of land, on the same terms and conditions, and at the same price, for which the other public lands are sold at private sale: *Provided*, That the first instalment of the purchase-money shall be paid to the receiver of public moneys of the district within which the land lies within two years after the opening of the land office for such district. (1)

SEC. 5. *And be it further enacted*, That for the purpose of adjusting the titles and claims to lands in the district aforesaid, and for the disposal of the lands which may remain the property of the United States therein, a land office shall be established in each of the said districts, to be kept, for the western district, at St. Helena Court-house, and, for the eastern district, at Jackson Court-house; and a register and receiver of public moneys shall be appointed for each of the said land offices, who shall give security in the same manner and in the same sums, and whose compensation, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall hereafter be disposed of at their respective offices, as are by law provided in relation to the other registers and receivers of public moneys for the several land offices of the United States.

SEC. 6. *And be it further enacted*, That every person or persons, claiming lands in either of the said districts, whose claims have not heretofore been filed with the commissioner of the land office of the district wherein the lands lie, shall be allowed until the first day of July, one thousand eight hundred and twenty, to deliver notices, in writing, and the evidences of their claims, in the said districts, respectively, to the register of the land office at Jackson Court-house and at St. Helena Court-house; and the notices and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on the payment of the same fees, as if the same had been delivered before the commissioners closed their said registers.

SEC. 7. *And be it further enacted*, That every person or persons who had filed his or their notice of claims to land, within either of the said districts, with the commissioner of

(1) See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 86, 93.

the land office, according to the former laws, but have not exhibited sufficient testimony in support of the same, and whose claim has not been recommended for confirmation, shall be allowed until the first day of July, one thousand eight hundred and twenty, to deliver written evidence, or other testimony, in support of his or their claim, the notice of which had been filed as aforesaid, to the register of the land office at St. Helena, for lands lying in the district west of Pearl river, and to the register of the land office at Jackson Court-house, for the lands lying in the district east of Pearl river; and the evidence of claims, the notice whereof had been filed, as aforesaid, for lands lying in the said district, delivered, within the time limited by this section, to the said registers, shall be recorded by them, respectively, in the same manner as was directed by former acts, on receiving the same fees allowed by said acts for recording evidence of claims to lands in the same districts.

ly, 1820, to deliver written evidence, and other testimony, &c.

Evidence delivered in time, to be recorded.

SEC. 8. *And be it further enacted*, That the register and receiver of public moneys of the said respective land offices, at Jackson Court-house and at St. Helena Court-house, shall have the same powers, and perform the same duties, in every respect, in relation to the claims that may be filed in virtue of the sixth section of this act, and in relation to the claims the notices of which had been filed under former acts, as well as to the additional evidence which shall be adduced in support thereof, agreeably to the seventh section of this act, as the commissioners for the districts east and west of Pearl river would have had, or should have performed; if such notices had been filed, and such evidence adduced, before the said commissioners closed their registers.

The registers and receivers at Jackson and St. Helena Court-houses to have the same powers, perform the same duties, &c. as the commissioners for the districts east and west of Pearl river w'd have had, &c.

SEC. 9. *And be it further enacted*, That it shall be the duty of the register of each of the said land offices, respectively, to make to the Commissioner of the General Land Office a report of all the claims filed with the register aforesaid, with the substance of the evidence in support thereof; and of the claims formerly filed, in support of which additional evidence shall have been received, with the substance of such evidence; and also their opinion, and such remarks respecting the claim as they may think proper to make; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, and also a list of actual settlers prior to the passage of this act, noting the time of their respective settlements, shall be laid by the Commissioner of the General Land Office before Congress, at their next session, for their determination thereon.

The register of each of the land offices to report to the Commissioner of the Gen'l Land Office.

The Commissioner to lay the report, &c. before Congress.

SEC. 10. *And be it further enacted*, That the said registers and receivers shall, respectively, have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, when required by said registers and receivers; and each of the said registers and receivers shall be allowed, as a compensation for their services in relation to the said

Registers and receivers may appoint clerks.

4,500 dolls. a year to each register and receiver.

1,000 dolls. per annum to each clerk.

Provido; not more than 18 months' compensation.

Surveyor of the lands south of Tennessee to appoint a principal deputy, with a salary of 500 dolls. and fees.

Rate of fees.

Duty of the deputy surveyor.

Expense of surveying to be paid by the United States. Provido; not to exceed \$4 a mile.

Books of former commissioners to be lodged with the registers, &c.

Register and receiver empowered to examine claims, &c.

A certificate to each claimant entitled, &c.

The certificate having been fairly obtained, a patent to issue.

claims, at the rate of fifteen hundred dollars a year; and each of the clerks at the rate of one thousand dollars a year: *Provided*, That not more than eighteen months' compensation be thus allowed to the register, receiver, and clerk, for the district east of Pearl river; nor more than eighteen months' compensation be allowed to the register, receiver, and clerk, of the district west of Pearl river.

SEC. 11. *And be it further enacted*, That the surveyor for the lands south of the State of Tennessee shall, with the consent and approbation of the President of the United States, appoint a principal deputy surveyor for the lands within the said districts, who shall receive an annual salary of five hundred dollars, and, in addition thereto, the following fees, that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of any plat of a survey in the office, twenty-five cents; and whose duty it shall be to survey, or cause to be surveyed by his other deputies, the lands the claims to which are confirmed, and that are directed to be granted as donations, where the same have not been already surveyed, and the lands which may be claimed by right of pre-emption, whenever directed by the register and receiver, and to execute such other surveys as may be necessary for the ascertainment of the lands the title or claim to which is embraced in the report of the commissioners aforesaid. And the said principal deputy surveyor shall make out particular plats of the surveys directed by this act, which he shall return to the register of the proper district; and, also, a general and connected plat, which he shall return to the surveyor of the lands south of the State of Tennessee; and the expense of surveying shall be paid by the United States: *Provided*, The same shall not exceed, in the whole, four dollars a mile, for every mile which shall be actually surveyed and marked.

SEC. 12. *And be it further enacted*, That the books of the former commissioners, in which the claims and evidence of claims are recorded, shall be lodged with the registers of the land office for the respective districts; and the register and receiver of public moneys, in each respective district, shall have power to examine the claims recognised, confirmed, or provided to be granted, by the provisions of this act, as also claims to the right of pre-emption; and they shall make out to each claimant entitled, in their opinion, thereto, a certificate, according to the nature of the case, under such instructions as they may receive from the Commissioner of the General Land Office; and on presentation at the General Land Office of such certificate for a confirmed claim, or for a donation, according to the provisions of this act, and where it shall appear, to the satisfaction of the Commissioner of the General Land Office, that the certificate has been fairly obtained, according to the true intent and meaning of this act,

then and in that case a patent shall be granted, in like manner as for other lands of the United States.

SEC. 13. *And be it further enacted*, That the President shall have power to appoint the register and receiver of public moneys for the said districts in the recess of the Senate, who shall be nominated to them at their next meeting.

The President may appoint the registers and receivers in the recess, &c.

Approved, March 3, 1819.

[See Part II, Nos. 19, 29, 296, 396, 665, 666, 667, 669, 670, 671, 672, 673, 674, 676, 687, 697, 699, 700, 702, 706, 707, 714, 716, 718, 721, 726, 727, 790, 815, 816, 819, 822, 824, 825, 826, 827, 829, 831, 839, 840, 843, 844, 846, 848, 849, 852, 853, 854, 858, 859, 860, 861, 862, 866, 869, 874, 877, 879, 880, 881, 882, 883, 885, 886, 887, 889, 890, 896, 898, 903, 904, 913, 914, 915, 918, 921, 923, 924, 929, 940, 949, 952, 953, 954, 955, 1,016.]

CHAP. 237.—An act to authorize the people of the Missouri Territory to form a constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States, and to prohibit slavery in certain Territories.

SEC. 6.* *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said Territory of Missouri, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States:

*The other sections irrelevant.

Propositions offered to the convention for acceptance or rejection.

First. That section numbered sixteen, in every township, and, when such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State, for the use of the inhabitants of such township, for the use of schools.

1st proposition.—Section No. 16 for schools.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State, for the use of said State, the same to be selected by the Legislature of the said State, on or before the first day of January, in the year one thousand eight hundred and twenty-five; and the same, when so selected, to be used under such terms, conditions, and regulations, as the Legislature of said State shall direct: *Provided*, That no salt spring, the right whereof now is, or hereafter shall be, confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided, also*, That the Legislature shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress.

2d proposition.—Salt springs, and lands adjacent, for the use of the State.

Provide: salt springs confirmed to individuals, &c.

Provide: salt springs not to be leased for more than ten years.

Third. That five per cent. of the nett proceeds of the sale of lands lying within the said Territory or State, and which shall be sold by Congress, from and after the first day of January next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three fifths shall be applied to those objects within the State, under the direction of the Legislature thereof; and the other two fifths in defraying, under the direction of

3d proposition.—5 per centum nett proceeds of sales of land for public roads and canals.

Congress, the expenses to be incurred in making of a road or roads, canal or canals, leading to the said State.

4th proposition.—
4 sections of land
for a seat of Gov-
ernment.

Fourth. That four entire sections of land be, and the same are hereby, granted to the said State, for the purpose of fixing their seat of Government thereon; which said sections shall, under the direction of the Legislature of said State, be located, as near as may be, in one body, at any time, in such townships and ranges as the Legislature aforesaid may select, on any of the public lands of the United States: *Provided*, That such locations shall be made prior to the public sale of the lands of the United States surrounding such location.

Proviso; location
before public sale
of surrounding
lands.

5th proposition.—
36 sections of land
for a seminary of
learning.

Fifth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the other lands heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the Legislature of said State, to be appropriated solely to the use of such seminary by the said Legislature: *Provided*, That the five foregoing propositions herein offered are on the condition that the convention of the said State shall provide, by an ordinance irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from any tax laid by order or under the authority of the State, whether for State, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale: *And, further*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt, as aforesaid, from taxation for the term of three years from and after the date of the patents, respectively.

Proviso; the five
foregoing proposi-
tions, on condition
that lands sold by
the United States
be exempt from
taxes for five y'rs;
and bounty lands
for three years.

Approved, March 6, 1820.

[See Part II, Nos. 13, 611.]

CHAP. 236.—An act to authorize the President of the United States to appoint a receiver of the public moneys and register of the land office for the district of Lawrence county, in the Arkansas Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to appoint a receiver of the public moneys and register of the land office for the district of Lawrence county, in the Arkansas Territory.

The President au-
thorized to appoint
a receiver and re-
gister for Law-
rence county.

Persons having
claim to pre-emp-
tion, &c., to make
it known to the re-
gister six weeks
before issuing pa-
tents to soldiers of
the late army.

SEC. 2. *And be it further enacted*, That every person having a claim to a right of pre-emption within the said district shall make known his claim and location, according to the provisions of the laws now in force, to the register, at least six weeks before the time, to be designated by the President

of the United States, for issuing patents to the soldiers of the late army entitled to bounty land in said district.

Approved, March 17, 1820.

[See Part II, Nos. 64, 286, 293.]

CHAP. 239.—And act further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the operation of the sixth condition of the fifth section of the act entitled “An act to amend the act entitled ‘An act providing for the sale of the lands of the United States northwest of the Ohio, and above the mouth of Kentucky river,’”* be, and the same is hereby, suspended until the thirty-first day of March, one thousand eight hundred and twenty-one, in favor of the purchasers of public lands at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres.

Approved, March 30, 1820.

[See Part II, No. 13.]

Forfeiture of lands for non-payment suspended until 31st March, 1821.

*Chapter 54.

Provided: benefit limited to purchasers within 640 acres.

CHAP. 240.—An act making further provision for the sale of the public lands.†

†See act of 2d March, 1821, chap. 253.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the first day of July next, all the public lands of the United States, the sale of which is or may be authorized by law, shall, when offered at public sale to the highest bidder, be offered in half-quarter sections; and, when offered at private sale, may be purchased, at the option of the purchaser, either in entire sections, half sections, quarter sections, or half-quarter sections; and in every case of the division of a quarter section, the line for the division thereof shall run north and south, and the corners and contents of half-quarter sections which may thereafter be sold shall be ascertained in the manner and on the principles directed and prescribed by the second section of an act entitled “An act concerning the mode of surveying the public lands of the United States,”‡ passed on the eleventh day of February, eighteen hundred and five; and fractional sections, containing one hundred and sixty acres or upwards, shall, in like manner, as nearly as practicable, be subdivided into half-quarter sections, under such rules and regulations as may be prescribed by the Secretary of the Treasury;

Public sales of lands in half-quarter sections, after 1st July, 1820.

At private sale in entire, half, quarter, or half-quarter sections.

Division of quarter sections—

‡Chapter 72.

And fractional sections.

Fractional sections less than 160 acres to be sold entire. *Provido*; as to town lots.

but fractional sections containing less than one hundred and sixty acres shall not be divided, but shall be sold entire: *Provided*, That this section shall not be construed to alter any special provision made by law for the sale of land in town lots. (1)

No credit on sales of public lands after July 1, 1890.

SEC. 2. *And be it further enacted*, That credit shall not be allowed for the purchase-money on the sale of any of the public lands which shall be sold after the first day of July next, but every purchaser of land sold at public sale thereafter shall, on the day of purchase, make complete payment therefor; and the purchaser at private sale shall produce to the register of the land office a receipt from the Treasurer of the United States, or from the receiver of public moneys of the district, for the amount of the purchase-money on any tract, before he shall enter the same at the land office; and if any person, being the highest bidder at public sale for a tract of land, shall fail to make payment therefor on the day on which the same was purchased, the tract shall be again offered at public sale on the next day of sale, and such person shall not be capable of becoming the purchaser of that or any other tract offered at such public sales.

Complete payment on day of purchase.

Purchasers at private sale to produce a receipt for the money before entry.

The highest bidder at public sale failing to pay, the tract to be again offered, and the failing bidder rendered incapable of purchasing at such sales.

Price of lands one dollar and twenty-five cents per acre after July 1, 1890.

SEC. 3. *And be it further enacted*, That, from and after the first day of July next, the price at which the public lands shall be offered for sale shall be one dollar and twenty-five cents an acre; and at every public sale, the highest bidder, who shall make payment as aforesaid, shall be the purchaser; but no lands shall be sold, either at public or private sale, for a less price than one dollar and twenty-five cents an acre; and all the public lands which shall have been offered at public sale before the first day of July next, and which shall then remain unsold, as well as the lands that shall thereafter be offered at public sale according to law, and remain unsold at the close of such public sale, shall be subject to be sold at private sale, by entry at the land office, at one dollar and twenty-five cents an acre, to be paid at the time of making such entry as aforesaid; with the exception, however, of the lands which may have reverted to the United States for failure in payment, and of the heretofore reserved sections, for the future disposal of Congress, in the States of Ohio and Indiana, which shall be offered at public sale as hereinafter directed.

Highest bidder paying, the purchaser.

No sales for less than \$1 25 per acre.

Lands offered at public sale, and unsold, subject to private sale at \$1 25 per acre.

Except reverted lands, and sections reserved in Ohio and Indiana.

Lands reverted, &c. to be offered at public before private sale.

SEC. 4. *And be it further enacted*, That no lands which have reverted or which shall hereafter revert and become forfeited to the United States, for failure in any manner to make payment, shall, after the first day of July next, be subject to entry at private sale, nor until the same shall have been first offered to the highest bidder at public sale; and all such lands which shall have reverted before the said first day of July next, and which shall then belong to the United States, together with the sections and parts of sections

Sale of lands reverted, &c. before the 1st July, 1890, and reserved sections.

heretofore reserved for the future disposal of Congress, which shall, at the time aforesaid, remain unsold, shall be offered at public sale to the highest bidder, who shall make payment therefor, in half-quarter sections, at the land office for the respective districts, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose; and all lands which shall revert and become forfeited for failure of payment, after the said first day of July next, shall be offered in like manner at public sale, at such time or times as the President shall, by his proclamation, designate for the purpose: *Provided*, That no such lands shall be sold, at any public sales hereby authorized, for a less price than one dollar and twenty-five cents an acre, nor on any other terms than that of cash payment; and all the lands offered at such public sales, and which shall remain unsold at the close thereof, shall be subject to entry at private sale, in the same manner and at the same price with the other lands sold at private sale at the respective lands offices. (1)

Days of sale to be fixed by proclamation.

Sale of lands reverting, &c., after 1st July, 1820.

Proclamation of time of sale.

Proviso: no public sales for less than \$1 25 per acre, cash.

All lands unsold at public may be entered at private sale.

Public sales for two weeks.

\$5 per day to the registers and receivers.

Preference, in case of different applications at private sale, to be given to the highest bidder.

SEC. 5. *And be it further enacted*, That the several public sales authorized by this act shall, respectively, be kept open for two weeks, and no longer; and the registers of the land office and the receivers of public moneys shall each, respectively, be entitled to five dollars for each day's attendance thereon.

SEC. 6. *And be it further enacted*, That, in every case hereafter, where two or more persons shall apply for the purchase, at private sale, of the same tract, at the same time, the register shall determine the preference by forthwith offering the tract to the highest bidder.

Approved, April 24, 1820.

(1) See Part II, No. 26.

[See Part II, Nos. 13, 18, 34, 70, 81, 84, 85, 122, 133, 187, 235, 254, 255, 259, 261, 262, 263, 264, 265, 266, 268, 273, 284, 290, 291, 292, 293, 297, 298, 299, 300, 301, 310, 312, 313, 319, 320, 321, 322, 324, 325, 330, 339, 342, 344, 345, 350, 354, 357, 361, 376, 381, 383, 384, 398, 399, 404, 418, 442, 446, 455, 470, 472, 486, 492, 497, 506, 529, 535, 725, 796, 807, 841, 845, 865, 867, 871, 887, 906, 912, 922, 928, 971, 972.]

CHAP. 241.—An act confirming the proceedings of the inhabitants of the village of Cahokia, in the State of Illinois, in laying out a town on the commons of said village.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the proceedings of the inhabitants of the village of Cahokia, in the State of Illinois, by their agents, Jesse B. Thomas, John Hay, John Hays, Nicholas Jarrot, and Francis Turcotte, in laying out a town called Illinois city, on one of the tracts of land confirmed to them as a common, by an act of Congress passed on the twentieth February,

Proceedings of the inhabitants of Cahokia, in laying out Illinois city and distributing lots, confirmed.

one thousand eight hundred and twelve, and the distribution made by the said agents of the lots amongst the inhabitants of said village of Cahokia, be, and the same are hereby, confirmed.

Jesse B. Thomas, and others, authorized to convey the lots distributed, by deed, in fee simple.

SEC. 2. *And be it further enacted*, That the said Jesse B. Thomas, John Hay, John Hays, Nicholas Jarrot, and Francis Turcotte, or any three of them, be, and they are hereby, authorized to convey by deed, in fee simple, the lots that have heretofore been distributed, as aforesaid, to those persons, or their legal representatives, to whom distribution, as aforesaid, was made.

Approved, May 1, 1820.

CHAP. 242.—An act to establish additional land offices in the States of Alabama and Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the sale of the unappropriated public lands in the State of Alabama, the following districts shall be formed, and land offices therefor established: All the public lands, as aforesaid, bounded, on the north, by the line which separates townships numbered fourteen and fifteen, in the district of Huntsville; on the south, by the line which separates townships twenty-two and twenty-three, in the district of Cahawba and the district east of Pearl river; and on the east and west, by the lines of the State of Alabama; shall form a district, for which a land office shall be established at Tuscaloosa. And all the public lands, as aforesaid, bounded, on the south, by the southern boundary of the State of Alabama; on the west, by the line separating ranges four and five, east of the basis meridian, to the line separating townships five and six north, in the district of Cahawba; thence, east, with said line, to the line separating ranges twenty and twenty-one; thence, north, with said line, to the line separating townships eleven and twelve; thence, east, with said line, to the eastern boundary of the State of Alabama, and bounded, on the east, by the eastern boundary of said State; shall form a district, for which a land office shall be established at Conecuh Court-house.

District and land office at Tuscaloosa.

District and land office at Conecuh Court-house.

Part of Shawnee-town district to form a separate land district.

Land office at Vandalia.

SEC. 2. *And be it further enacted*, That so much of the public lands, heretofore included in the Shawneetown land district, as lies east of the third principal meridian, north of the base line, and west of the range line between ranges numbered eight and nine, east of the said third principal meridian, shall constitute a separate land district; and, for the sale of the public lands therein, there shall be a land office established at Vandalia, the seat of Government for the State of Illinois.

SEC. 3. *And be it further enacted*, That so much of the

public land as lies north of the base line, east of the aforesaid range line, and west of the Big Wabash river, as lies in the State of Illinois, shall also constitute a separate land district; and, for the sale of the public lands, there shall be a land office established at the town of Palestine, on the said Wabash river.

Another land district in Illinois.

Land office at Palestine.

SEC. 4. *And be it further enacted*, That there shall be a register and receiver appointed to each of the aforesaid land offices, to superintend the sales of the public lands in their respective districts, who shall reside at the places designated in their respective districts at which the offices are fixed, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

A register and receiver for each of the land offices, with compensation, &c. as in other cases.

SEC. 5. *And be it further enacted*, That the provisions of the second, third, and fifth sections of the act entitled "An act to designate the boundaries of districts, and establish land offices, for the disposal of the public lands not heretofore offered for sale in the States of Ohio and Indiana,"* approved March the third, eighteen hundred and nineteen, be, and the same are hereby, made applicable to the aforesaid districts and offices, so far as they are not changed by subsequent laws of the United States.

2d, 3d, and 5th sections of the act of 3d March, 1819, applicable, &c. so far as they have not been changed, &c.

*Anno, chap. 282.

Approved, May 11, 1820.

[See Part II, No. 64.]

CHAP. 243.—An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the Territory of Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the powers of the commissioners for ascertaining and deciding on the rights of persons claiming lands in the district of Detroit, as defined by the second section of an act entitled "An act to authorize the granting of patents for land according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes,"† passed on the twenty-third of April, one thousand eight hundred and twelve, shall be, and are hereby, revived. And the said commissioners shall perform the duties therein prescribed, in relation to the claims which have been filed with the register of the land office for the said district, in pursuance of the act entitled "An act allowing further time for entering donation rights to lands in the district of Detroit."‡ And

Powers of the commissioners for deciding on claims to lands in the district of Detroit, under act of April 23, 1812, revived.

†Chapter 128.

Commissioners to perform the duties prescribed.

‡Anno, chap. 208.

And to examine and decide on claims filed, &c.

Report and transcripts to be transmitted to the Secretary of the Treasury, and laid before Congress, &c.

The commissioners authorised to employ an agent capable of translating the French language, for ascertaining titles at Green Bay and Prairie des Chiens, &c.

Agent to give notice, and attend, &c.

Claimants to produce evidence, &c.

Agent to report to the commissioners, &c.

Commissioners to transmit report and transcripts to the Secretary of the Treasury, to be laid before Congress, &c.

Agent to take an oath, and conform to instructions.

\$500 for each commissioner and agent, with fees to agent and register.

the said commissioners shall also have power to examine and decide, according to the laws respecting the same, the claims which have been filed with the register of the land office, and not heretofore decided on; and they shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, to be laid before Congress, in the manner directed by former laws providing for the adjustment of such claims.

SEC. 2. *And be it further enacted,* That the said commissioners shall be, and they are hereby, authorized to employ, with the approbation of the Secretary of the Treasury, a person capable of translating the French language, as an agent, for the purpose of ascertaining the titles and claims to land at the settlements of Green Bay and Prairie des Chiens. It shall be the duty of the said agent to give public notice, at each of the said settlements, of the time and place therein at which he shall attend for the purpose of receiving notices and evidences of titles and claims to lands within the same. And every person having title or claim to lands within the settlements aforesaid shall produce the evidence of his title or claim to the said agent, who shall record the same in books to be kept for that purpose. And after the said agent shall have remained at the places aforesaid a time sufficient for the inhabitants to produce the evidence of their claims, he shall make his report thereof to the said commissioners, who shall have power to examine and decide on the claims so reported to them, according to the laws for adjusting and settling the claims to land in the district of Detroit, except that which relates to donations of vacant land adjacent to the land confirmed shall not be considered applicable to claims in the settlements aforesaid. And the said commissioners shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, on or before the first of October, in the year one thousand eight hundred and twenty-one, to be laid before Congress at their next session thereafter, in the same manner as was directed by law in respect to the claims to lands in the district of Detroit.

SEC. 3. *And be it further enacted,* That the agent aforesaid shall take an oath for the faithful discharge of the duties enjoined on him; and he shall conform, in discharging the said duties, to such general instructions as shall be given him by the Secretary of the Treasury; and the said commissioners and agent shall each receive five hundred dollars, as full compensation for the services to be performed under this act, together with the recording fees to the agent, and allowance to the register for a certificate of confirmation for donation rights provided for by former laws.

Approved, May 11, 1820.

CHAP. 244.—An act for the relief of certain settlers in the State of Illinois, who reside within the Vincennes land district.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who would have been entitled to the right of pre-emption, according to the provisions of the act entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois Territory,"* passed February the fifth, one thousand eight hundred and thirteen, provided said act had been so construed as to embrace those who were living within the limits of the Vincennes land district; and who became the purchaser, at public sale, of the said land, to which the right of pre-emption would have so attached, at more than two dollars per acre, shall be entitled to a certificate for the amount so paid or to be paid, exceeding two dollars per acre, from the register of the land office at Vincennes; which certificate shall be receivable in payment of any debt due to the United States on account of the sale of public land: *Provided, however*, That it shall be the duty of every person claiming the benefit of this act to prove, to the satisfaction of the register and receiver of the land office at Vincennes, that they are entitled thereto, according to its true intent and meaning.

Persons who would have been entitled to right of pre-emption under act of 5th Feb. 1813, had said act been so construed, &c., to be entitled to a certificate for the excess paid above \$2 per acre, &c.

*Chapter 149.

Certificate receivable in payment of debt to the United States for land.

Proviso: persons to prove they are entitled.

SEC. 2. *And be it further enacted*, That every person who would have been entitled to the right of pre-emption in the said Vincennes district, according to the provisions of the said recited act, passed the fifth day of February, eighteen hundred and thirteen, had it been so construed as to embrace them, and who did not become the purchaser of any tract of land to which such right of pre-emption would have attached, shall be allowed till the first day of September next to prove, to the satisfaction of the register and receiver at Vincennes, that they would have been so entitled; and it shall be the duty of the register, when the satisfaction aforesaid shall be made, to grant a certificate to every such person, or their legal representatives, stating therein that such person would have been entitled to such right of pre-emption, and that he did not become the purchaser thereof, neither at public nor private sale. And every such person, or his legal representatives, shall, upon producing such certificate to the register of any land office in the State of Illinois, be allowed to enter one quarter section of land, each, at the minimum price fixed by the United States, of any land which may be surveyed previous to the first day of September next, whether the same shall have been offered at public sale or not.

Persons who would have been entitled, &c., who were not purchasers, allowed until 1st Sept. 1820, to prove, &c.

Register, on satisfaction, to grant a certificate, &c.

Every person, upon certificate, allowed to enter a quarter section, at minimum price, &c.

Approved, May 11, 1820.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 252, 263, 288, 316, 328.]

CHAP. 245.—An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claims for lands within the eastern district of the State of Louisiana, described by the register and receiver of the said district in their report to the Commissioner of the General Land Office, bearing date the twentieth day of November, one thousand eight hundred and sixteen, and recommended in the said report for confirmation, be, and the same are hereby, confirmed against any claim on the part of the United States.

Claims for lands in the eastern district of Louisiana, described in the report of 20th Nov. 1816, confirmed.

Persons claiming lands west of the Mississippi, founded upon Spanish grants, &c., whose claims have not been heretofore filed, may, from 1st July until 31st Dec. 1880, deliver notices and evidences of claims, &c.

Notices, &c. to be recorded.

25 cents for every 100 words recorded.

Persons neglecting, forfeit their rights, &c.

Registers to report to the Secretary of the Treasury on the 1st Jan. 1821.

Persons claiming lands under Spanish grants, &c., according to former laws, whose claims have not been confirmed, allowed until 31st Dec. 1880, to deliver additional written evidence, &c.

Evidence to be recorded.

SEC. 2. *And be it further enacted*, That any person or persons claiming lands within that part of Louisiana lying west of the river Mississippi, including the island of New Orleans, founded upon any Spanish grant, concession, or order of survey, and whose claims have not heretofore been filed in the proper office, may, from and after the first day of July next, and until the thirty-first day of December thereafter, deliver notices, in writing, and the written evidences of their claims, to the register of the land district within which such lands may be situate within the said State; and the said notices and evidences, so delivered within the time limited by this act, shall, by the said registers, be recorded in books to be kept for that purpose; for which service a compensation shall be received, from such claimants, at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence, in any court of the United States, against any grant derived from the United States.

SEC. 3. *And be it further enacted*, That the said registers shall, on the first day of January next, make to the Secretary of the Treasury a report of all the claims filed in their respective offices, in pursuance of the provisions of this act, together with the substance of the evidence in support thereof, with their opinion of the credit to which such evidence is entitled.

SEC. 4. *And be it further enacted*, That every person or persons claiming lands within that part of Louisiana described in the preceding section, founded upon any Spanish grant, concession, or order of survey, who had filed their notices of claims in the proper office, according to former laws, and whose claims have not been confirmed, may, at any time before the thirty-first day of December next, deliver additional written evidence, or other testimony, in support of their claims, the notice of which had been filed as aforesaid, to the said registers; and the evidence so delivered or offered shall be recorded in books to be kept for that purpose; for which service a compensation shall be re-

ceived, from such claimants, at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence, in any court of the United States, against any grant derived from the United States.

25 cents for every 100 words recorded.
Rights of persons neglecting, barred, &c.

SEC. 5. *And be it further enacted*, That the said registers shall, on the first day of January next, make to the Secretary of the Treasury a report of the claims in which additional evidence shall have been filed in their respective offices, together with the substance of the evidence so filed, with their opinion of the credit to which such evidence is entitled, and such other information as the examination of such cases, under any former law, may have placed in their power or possession.

Registers, on the 1st January, 1831, to report claims in which additional evidence has been filed, &c., with their opinion, &c.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the report of the said registers shall be received, to proceed to the examination of the claims aforesaid, and to report to the two Houses of Congress a list of the cases which, in his opinion, ought to be confirmed, together with the reasons upon which his opinion may be founded: *Provided, nevertheless*, That no claim shall be so recommended for confirmation which contains more than the quantity contained in a league square.

Secretary of the Treasury to examine, and report to Congress.

Proviso: no claim to be recommended for more than a league square.

SEC. 7. *And be it further enacted*, That the fifth section of the act of the third day of March, eighteen hundred and eleven, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven,"* be, and the same is hereby, revived and continued, for the term of two years from and after the passing of this act.

The 5th section of the act of March 3, 1811, revived, and continued until May 11, 1832.

*Chapter 116.

SEC. 8. *And be it further enacted*, That the said registers, in addition to the compensation herein prescribed, shall receive, in full for the services required of them, respectively, by this act, the sum of six hundred dollars, which shall be paid out of any money in the Treasury not otherwise appropriated.

\$600 additional to the registers, in full, &c.

Approved, May 11, 1820.

[See Part II, Nos. 19, 261, 277, 278, 296, 668, 670, 722, 795, 812, 814, 822, 825, 826, 827, 829, 831, 839, 840, 853, 862, 913, 921, 923, 952, 954.]

CHAP. 246.—An act authorizing the sale of thirteen sections of land lying within the land district of Canton, in the State of Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

13 sections of land in the district of Canton, reserved by act of 2d March, 1807, and subsequently ceded, &c. to be offered for sale at Wooster, &c.

*Chap. 94.

†See the treaty, at the end of this vol.

sembled, That the thirteen sections of land, lying within the land district of Canton, in the State of Ohio, which were reserved for the use of certain persons of the Delaware tribe of Indians, by an act of Congress passed on the third day of March, one thousand eight hundred and seven,* and were subsequently ceded to the United States by the eighteenth article of the treaty concluded on the twenty-ninth day of September, one thousand eight hundred and seventeen,† shall be offered to public sale, by the register and receiver of the public moneys at the land office at Wooster, on such day or days as the President shall designate for that purpose, in the same manner and on the same conditions and terms as are provided by law for the sale of the public lands of the United States.

Approved, May 11, 1820.

[See Part II, No. 47.]

CHAP. 247.—An act to annex certain lands within the Territory of Michigan to the district of Detroit.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the public lands of the United States within the Territory of Michigan, to which the Indian title was extinguished by the treaty held and concluded at Saguna, in the said Territory, on the twenty-fourth day of September, in the year one thousand eight hundred and nineteen, shall be, and hereby are, attached to and made part of the district of Detroit, in the said Territory.

Public lands, to which the Indian title was extinguished by the treaty of Saguna, of 24th Sept. 1819, attached to the district of Detroit.

The lands not reserved or appropriated, to be surveyed and offered for sale, &c.

SEC. 2. *And be it further enacted*, That the lands aforesaid, to which the Indian title has been extinguished, and which have not been reserved or appropriated by existing laws or treaties, shall be surveyed and offered for sale, under the direction of the President of the United States, in the same manner, with the same reservations and exceptions, and upon the same terms and conditions, in every respect, both at public and private sale, as are or may be provided by law for the disposal of the other public lands within the said district.

Approved, May 11, 1820.

[See Part II, No. 64.]

CHAP. 248.—An act for the relief of persons holding confirmed unlocated claims for lands in the State of Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all persons lawfully holding confirmed unlocated claims for land within the tract reserved by the third

Persons holding confirmed unlocated claims for land within the tract reserved by 2d section of act of 16th April, 1814, allowed till 1st Nov. 1820, to register them.

section of the act entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location,"* passed the sixteenth day of April, in the year one thousand eight hundred and fourteen, be allowed until the first day of November, one thousand eight hundred and twenty, to register the same; and the said claims shall be receivable in payment for public lands within the said reserved tract, conformably with the provisions of the said act and of the act entitled "An act making further provision for settling claims to land in the Territory of Illinois,"† passed the twenty-sixth day of April, one thousand eight hundred and sixteen, at any time before the first day of November, one thousand eight hundred and twenty.

Approved, May 15, 1820.

*Chap. 163.

Claims to be receivable, &c. in the reserved tract until 1st Nov. 1830.

†Chap. 182.

CHAP. 249.—An act for the relief of the inhabitants of the village of Peoria, in the State of Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person, or the legal representatives of every person, who claims a lot or lots in the village of Peoria, in the State of Illinois, shall, on or before the first day of October next, deliver to the register of the land office for the district of Edwardsville a notice, in writing, of his or her claim; and it shall be the duty of the said register to make to the Secretary of the Treasury a report of all claims filed with the said register, with the substance of the evidence in support thereof, and also his opinion, and such remarks respecting the claims as he may think proper to make; which report, together with a list of the claims which, in the opinion of the said register, ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress, for their determination. And the said register shall be allowed twenty-five cents for each claim on which a decision shall be made, whether such decision shall be in favor or against the claims; which allowance shall be in full for his services under this act.

Approved, May 15, 1820.

Persons claiming lots in Peoria to deliver notice, in writing, to the register of Edwardsville, before 1st Oct. 1820.

Register to report to the Secretary of the Treasury.

Report, &c. to be laid before Congress.

25 cents to the register for each claim.

CHAP. 250.—An act granting to the State of Ohio the right of pre-emption to certain quarter sections of land.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be granted to the State of Ohio, at the minimum price for which the public lands are sold, the right of pre-emption to one quarter section, in or near the centre of each county, included in the purchase recently made

Right of pre-emption, at minimum price, to one quarter section, in the centre of each county, in the purchase by the Indian treaty of St. Mary's, granted to Ohio for a seat of justice.

Proviso: purchase must be made before public sales; proceeds, after deducting sums originally paid, appropriated for public buildings; and the seat of justice to be fixed on the lands selected.

of the Indians, by the treaty concluded at St. Mary's, on the twentieth day of September, one thousand eight hundred and eighteen, for the establishment of a seat of justice in the said counties: *Provided*, The purchase be made before the commencement of the public sales: *And provided, also*, That the proceeds of the sale of each quarter section, which may be made under the authority of the State of Ohio, shall be appropriated for the purpose of erecting public buildings in said counties, respectively, after deducting therefrom the sums originally paid by the State aforesaid: *And provided, further*, That the seat of justice for said counties, respectively, shall be fixed on the lands so selected.

Approved, May 15, 1820.

[See Part II, No. 611.]

*Original act, of 1st March, 1817; ante, chap. 201.

CHAP. 251.—An act to amend "An act making reservation of certain public lands for naval purposes," passed first March, one thousand eight hundred and seventeen.

Power of the Secretary of the Navy to appoint agents and surveyor, repealed.

†Ante, chap. 201.

Duties to be performed by surveyors of public lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the first section of the act of Congress, passed on the first day of March, one thousand eight hundred and seventeen, entitled "An act making reservation of certain public lands for naval purposes,"† as empowers the Secretary of the Navy to appoint an agent or agents and surveyor, be, and the same is hereby, repealed; and the duties and services required by said section be performed in future by such surveyors of public lands as may be designated by the President of the United States.

Approved, May 15, 1820.

[See Part II, No. 379.]

‡Further extended; infra, ch. 283.

CHAP. 252.—An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office.‡

Time allowed until 4th Jan. 1823, to obtain warrants and complete locations; and until 4th Jan. 1826, to return surveys and warrants, to procure patents.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract of country reserved by the State of Virginia, between the Little Miami and Sciota rivers, shall be allowed a further time of two years, from the fourth day of January, one thousand eight hundred and twenty-one, to obtain warrants and complete their locations; and the further time of four years, from the fourth day of January, one thousand eight hundred and twenty-two, to return their surveys and warrants, or certified copies of warrants, to the General Land Office, to obtain patents.

SEC. 2. *And be it further enacted,* That the provisions of the act entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants,"* passed the third day of March, one thousand eight hundred and seven, shall be revived and in force, with all its restrictions, except that the respective times allowed for making locations, and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act, for the location and return of surveys on other warrants, and that the surveys shall be returned to the General Land Office: *Provided,* That no locations, as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of lands for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered null and void.

The provisions of the act of March, 3 1807, revived, with limitation, as to time, as in the preceding section, &c.

*Chap. 89.

Provide; no location on tracts previously patented or surveyed.

Approved, February 9, 1821.

[See Part II, Nos. 2, 35, 37, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

CHAP. 253.—An act for the relief of the purchasers of public lands prior to the first day of July, eighteen hundred and twenty.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where lands have been purchased from the United States prior to the first day of July, eighteen hundred and twenty, it shall be lawful for any such purchaser, or other person or persons, being the legal holder of any certificate or certificates of land, on or before the thirtieth day of September, eighteen hundred and twenty-one, to file with the register of the land office where any tract of land has been purchased, a relinquishment, in writing, of any section, half section, quarter section, half-quarter section, or legal subdivision of any fractional section, of land so purchased, upon which the whole purchase-money has not been paid; and all sums paid on account of the part relinquished shall be applied to the discharge of any instalments which may be or shall hereafter become due and payable upon such land, so purchased, as shall not have been relinquished, and shall be so applied and credited as to complete the payment on some one or more half-quarter sections, where the payments by transfer are sufficient for that purpose: *Provided,* That all divisions and subdivisions contemplated by this act shall be made in conformity with the first section of an act making further provision for the sale of public lands, passed the twenty-fourth day of April, one thousand eight hundred and twenty: * *And provided, also,* That the right of relinquishment hereby given shall in no case authorize the party relinquishing to claim any repayment from the United

Lands purchased prior to 1st of July, 1820, and not wholly paid for, may be relinquished, by the legal holder of the certificate filing a notice, in writing, with the register, &c.

Sums paid on account of the part relinquished to be applied to discharge instalments due on lands not relinquished.

Provide; divisions and subdivisions under this act to be conformable to act of April 24, 1820.

*Ante, chap. 240.

Provide; no repayment from the U. States.

Proviso; purchasers of two or more quarter sections, cannot relinquish less than one.

Interest accrued before 30th Sept. 1821, remitted.

Debtors divided into three classes:

First class.

Second class.

Third class.

Payment of the debts by the respective classes, in instalments.

Times of paying the first instalment.

Debt to bear an interest of six per cent. per annum.

Proviso; interest remitted on punctual payment.

Deduction of 37½ per cent. on payments of the whole sum due by 30th Sept. 1822.

Proviso; no discount upon payments made by transfer, &c.

Those who have laid off towns, part or the whole of the lots whereof have been sold, are entitled to the benefits of this act—

States: *And provided, also,* That where any purchaser has purchased at the same time two or more quarter sections, he shall not be permitted to relinquish less than a quarter section.

SEC. 2. *And be it further enacted,* That the interest which shall have accrued before the thirtieth day of September next, upon any debt to the United States for public land, shall be, and the same is hereby, remitted and discharged.

SEC. 3. *And be it further enacted,* That the persons indebted to the United States, as aforesaid, shall be divided into three classes: the first class to include all such persons as shall have paid to the United States only one fourth part of the original price of the land by them respectively purchased or held; the second class to include all such persons as shall have paid to the United States only one half part of such original price; and the third class to include all such persons as shall have paid to the United States three fourth parts of such original price. And the debts of the persons included in the first class shall be paid in eight equal annual instalments; the debts of the persons included in the second class shall be paid in six equal annual instalments; and the debts of the persons included in the third class shall be paid in four equal annual instalments; the first of which instalments, in each of the classes aforesaid, shall be paid in manner following, to wit: of the third class, on the thirtieth day of September next; of the second class, on the thirty-first day of December next; and of the first class, on the thirty-first day of March, one thousand eight hundred and twenty-two; and the whole of the debt aforesaid shall bear an equal annual interest at the rate of six per cent.: *Provided, always,* That the same shall be remitted upon each and every of the instalments aforesaid which shall be punctually paid when the same shall become payable as aforesaid.

SEC. 4. *And be it further enacted,* That in all cases where complete payment of the whole sum due, or which may become due, for any tract of land purchased from the United States, as aforesaid, shall be made on or before the thirtieth day of September, one thousand eight hundred and twenty-two, a deduction, at the rate of thirty-seven and a half per centum, shall be allowed upon the sum remaining unpaid: *Provided,* That nothing herein contained shall authorize any discount upon payments made by a transfer of former payments under the provisions of the first section of this act.

SEC. 5. *And be it further enacted,* That each and every individual or company that has laid off, on any lands by him or them purchased of the United States, any town, a part or the whole of the lots whereof have been sold, shall be entitled to the benefits of this act in relation to any half-quarter or quarter section of land on which such town may be situated, and of all land by him or them owned, contiguous to and adjoining said half-quarter, quarter section, or section, on which said town is situated, upon condition, only,

that each and every person who has purchased of him or them a town lot, or part of a lot, or land in and adjoining the same, shall be entitled to a remission of all interest that has accrued, and to a discount of twenty per centum on the amount unpaid, and to discharge their debt by bonds, with security, in equal annual instalments of four years from the thirtieth day of December next. Nor shall the provisions of this act be construed to extend to any person or persons claiming title to land under the provisions of an act passed the third day of March, one thousand eight hundred and seventeen, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive."*

On condition of a remission of interest, and a discount of 20 per cent. to the purchasers of them, with a right to discharge their debts, on bond, in annual payments, &c.

The provisions of this act not to extend to persons claiming title under the act for encouraging the cultivation of the vine and olive.

*Ante, chap. 203.

SEC. 6. *And be it further enacted*, That for failure to pay the several debts aforesaid, in manner aforesaid, and for the term of three months after the day appointed for the payment of the last instalment thereof, in each of the classes aforesaid, the land so purchased or held by the respective persons indebted to the United States as aforesaid, shall, *ipso facto*, become forfeited, and revert to the United States.

The lands are forfeited on failure to pay three months after the time for paying the last instalment.

SEC. 7. *And be it further enacted*, That no person shall be deemed to be included within, or entitled to, the benefit of any of the provisions of this act, who shall not, on or before the thirtieth day of September next, sign, and file in the office of the register of the land office of the district where the land was purchased, or where the residue of the purchase-money is payable, a declaration, in writing, expressing his consent to the same; and shall pay to the register, for receiving, recording, and filing, the same, fifty cents.

No person is entitled to the benefit of this act, who does not file his written consent before 30th Sept. 1821.

SEC. 8. *And be it further enacted*, That it shall be, and hereby is made, the duty of the several registers and receivers of the land offices of the United States, according to the forms and instructions which shall be given in that behalf by the Treasury Department to assist in carrying this act in execution, to keep full and faithful accounts and records of all proceedings under the same; and within the term of three months, after the said thirtieth day of September next, to transmit to the said Department a correct report of the quantity of land relinquished to the United States, the quantity on which full payment shall have been made, and the quantity on which a further credit shall have been given, distinguishing the amount of the debt on which further credit shall have been allowed; and the registers and receivers, respectively, shall be entitled to receive fifty cents, from the party relinquishing, for each half-quarter section, quarter section, half section, section, or legal subdivision of a fractional section, so relinquished.

Fifty cents to the register, for receiving, recording, &c.

Duty of registers and receivers to keep full and faithful accounts and records, according to instructions from the Treasury Department.

Report to be made to the Treasury Department three months after the 30th Sept. 1821.

Fifty cents to register and receiver for every half-quarter section, &c. relinquished.

SEC. 9. *And be it further enacted*, That no lands purchased from the United States on or before the first day of July, eighteen hundred and twenty, which are not already forfeited, shall be considered as forfeited to the Government for failure in completing the payment thereon, until the said

No lands purchased prior to 1st of July, 1820, not already forfeited, to be forfeited before 30th Sept. 1821.

Lands relinquished to be deemed forfeited, and, with other forfeited lands, to be sold according to act of 24th April, 1880.

*Ante, chap. 240.

Lands surrendered not to be sold for two years after surrendered.

thirtieth day of September next; and all the lands which shall be relinquished to the United States, as aforesaid, shall be deemed and held to be forfeited, and, with all other lands which may become forfeited under this act, shall be sold according to the provisions of the act entitled "An act making further provision for the sale of the public lands,"* passed the twenty-fourth day of April, eighteen hundred and twenty.

SEC. 10. *And be it further enacted*, That no land which shall be surrendered under the provisions of this act shall be offered for sale for the term of two years after the surrender thereof.

Approved, March 2, 1821.

[See Part II, Nos. 13, 24, 40, 110, 264, 265, 266, 268, 269, 270, 271, 272, 273, 274, 279, 280, 281, 282, 284, 287, 289, 290, 291, 292, 297, 298, 299, 300, 308, 310, 312, 313, 321, 322, 324, 342, 354, 376, 381, 383, 384, 396, 455, 472, 486, 841, 847.]

†Further extended by act of 3d March, 1823, chap. 225.

CHAP. 254.—An act extending the time for issuing and locating military land warrants to officers and soldiers of the revolutionary army.†

Time for issuing warrants extended to 4th March, 1823.
‡Ante, chap. 226.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time limited by the second section of the act approved on the twenty-fourth day of February, one thousand eight hundred and nineteen,‡ for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended to the fourth day of March, one thousand eight hundred and twenty-three; and the time for locating the unlocated warrants shall be extended to the first day of October thereafter.

Approved, March 2, 1821.

[See Part II, Nos. 2, 43, 108, 113, 114, 116, 121, 236, 237.]

Time for locating warrants extended to 1st Oct. 1823.

CHAP. 255.—An act to establish the district of Pearl river.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the first day of July next, all the bays, waters, and shores, on Lake Borgne and the Gulf of Mexico, and all the rivers emptying into the same, within the limits of the State of Mississippi, shall be a collection district, to be called the district of Pearl river; of which a port near the mouth of Pearl river, at such place as the President of the United States shall designate, shall be the port of entry; and a collector for the district shall be appointed, to reside at such place as the President shall direct, at or near the said port, who shall be entitled to receive, in

Bays, shores, &c. on Lake Borgne and Gulf of Mexico, and rivers emptying therein, within the State of Mississippi, to be a collection district, after 1st July, 1821.

A port of entry near the mouth of Pearl river, as the President may designate.

A collector for the district, with a salary of \$600 dollars besides fees.

addition to the fees and other emoluments established by law, the annual salary of two hundred and fifty dollars.

Approved, March 2, 1821.

CHAP. 256.—An act confirming the location of the seat of Government of the State of Illinois, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the four sections of land, including the section number sixteen, in township number six north, range number one east of the third principal meridian, heretofore selected by commissioners appointed for that purpose for the seat of Government of the State of Illinois, be, and the same are hereby declared to be, confirmed to and vested in the said State, for the purpose aforesaid.

Four sections of land, &c. selected by commissioners for the seat of Government of Illinois, confirmed to the State.

SEC. 2. *And be it further enacted*, That the Governor of said State be, and he is hereby, authorized to select any unappropriated section in said township, for the use of the inhabitants thereof, which shall be in lieu of the said sixteenth section.

The Governor authorized to select a section in lieu of No. 16.

Approved, March 2, 1821.

CHAP. 257.—An act authorizing the President of the United States to remove the land office in the district of Lawrence county, in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the act entitled "An act making provision for the establishment of additional land offices in the Territory of Missouri,"* as requires that the land office for the district of Lawrence county shall be established at the seat of justice in said county, shall be, and the same is hereby, repealed; and the President of the United States is hereby authorized to remove and establish said office at any suitable place within the said district.

Part of the act of 17th Feb. 1813, repealed.

*Ante, chap. 209.

The President may establish the office at any suitable place.

Approved, March 2, 1821.

[See Part II, No. 64.]

CHAP. 258.—An act to regulate the location of land warrants and the issuing of patents, in certain cases.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the holders, by assignment, of warrants issued under the acts of Congress of the fifth of March, eighteen hundred and sixteen,† the third of March, eighteen hundred

Assignees of warrants issued to Canadian volunteers, may locate them, and receive patents in their own names, &c.

†Ante, chap. 179.

*Ante, chap. 207.

Provido; no loca-
tion prior to an
offer at public sale,
&c.

and seventeen,* to Canadian volunteers, may be, and hereby are, authorized to locate the said warrants, and to receive patents therefor in their own names, as had been the practice before the twenty-sixth of December, eighteen hundred and nineteen: *Provided, however*, That in no case shall lands be so located until after having been exposed to public sale, shall remain unsold.

Approved, March 3, 1821.

[See Part II, Nos. 8, 14, 40.]

CHAP. 259.—An act for the preservation of the timber of the United States in Florida.

The President may employ the land and naval forces to prevent the destruction of, or carrying away, public timber from Florida, and authorized to take measures to preserve it.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and hereby is, authorized to employ so much of the land and naval forces of the United States as may be necessary effectually to prevent the felling, cutting down, or other destruction, of the timber of the United States in Florida; and, also, to prevent the transportation or carrying away any such timber as may be already felled or cut down; and to take such other and further measures as may be deemed advisable for the preservation of the timber of the United States in Florida.

Approved, February 23, 1822.

CHAP. 260.—An act for the establishment of a Territorial Government in Florida.†

†See act of the 2d of March, 1823, ch. 281, post.

‡The other sections irrelevant.

Legislative power vested in the Governor and a Legislative Council of thirteen, to be appointed annually by the President and Senate.

Powers of the Legislature.

Restriction of the powers of legislation.

The Governor to publish the laws, and report them to the President, to be laid before Congress, &c.

SEC. 5.† *And be it further enacted*, That the legislative power shall be vested in the Governor, and in thirteen of the most fit and discreet persons of the Territory, to be called the Legislative Council, who shall be appointed annually, by the President of the United States, by and with the advice and consent of the Senate, from among the citizens of the United States residing there. The Governor, by and with the advice and consent of the said Legislative Council, or a majority of them, shall have power to alter, modify, or repeal, the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint, burden, or disability, on account of his religious opinions, professions, or worship, in all which he shall be free to maintain his own, and not burdened with those of another. The Governor shall publish throughout the said Territory all the laws which shall be made, and shall, on or before the first day of

December in each year, report the same to the President of the United States, to be laid before Congress, which, if disapproved by Congress, shall thenceforth be of no force. The Governor and Legislative Council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to lands within said Territory. The Legislative Council shall hold a session once in each year, commencing its first session on the second Monday of June next, at Pensacola, and continue in session not longer than two months; and thereafter on the first Monday in May, in each and every year, but shall not continue longer in session than four weeks; to be held at such place in said Territory as the Governor and Council shall direct. It shall be the duty of the Governor to obtain all the information in his power in relation to the customs, habits, and dispositions, of the inhabitants of the said Territory, and communicate the same, from time to time, to the President of the United States.

The Governor and Council have no power over the primary disposal of the soil, cannot tax public lands, nor interfere with land claims.

Sessions of the Legislative Council.

The Governor to obtain information, and communicate it to the President.

Approved, March 30, 1832.

CHAP. 261.—An act to authorize the State of Illinois to open a canal through the public lands, to connect the Illinois river with Lake Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Illinois be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of the canal connecting the Illinois river with the southern bend of Lake Michigan; and ninety feet of land on each side of said canal shall be forever reserved from any sale to be made by the United States, except in the cases hereinafter provided for; and the use thereof forever shall be, and the same is hereby, vested in the said State for a canal, and for no other purpose whatever: on condition, however, that if the said State does not survey and direct by law said canal to be opened, and return a complete map thereof to the Treasury Department, within three years from and after the passing of this act; or if the said canal be not completed, suitable for navigation, within twelve years thereafter; or if said ground shall ever cease to be occupied by and used for a canal, suitable for navigation, the reservation and grant hereby made shall be void and of none effect: *Provided, always, and it is hereby enacted and declared,* That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed or construed to imply any obligation on the part of the United States to appropriate any money to defray the expense of surveying or opening said canal: *Provided, also, and it is hereby further enacted and declared,* That the said canal, when completed, shall be and forever remain a public highway, for the use of

Illinois authorized to survey and mark, through public lands, the route of a canal, connecting Illinois river with the southern bend of Lake Michigan; and 90 feet on each side reserved and vested in the State, for a canal; on condition, &c.

Provido; no obligation on the part of the United States to appropriate money, &c.

Provido; canal always a public highway, free of toll to the U. States.

the Government of the United States, free from any toll or other charge whatever, for any property of the United States or persons in their service passing through the same.

Sections through which the canal passes, reserved until, &c.

The State may use necessary adjacent materials, without waste.

SEC. 2. *And be it further enacted*, That every section of land through which said canal route may pass shall be, and the same is hereby, reserved from future sale until hereafter specially directed by law : and the said State is hereby authorized and permitted, without waste, to use any materials, on the public lands adjacent to said canal, that may be necessary for its construction.

Approved, March 30, 1822.

CHAP. 262.—An act supplemental to an act entitled “An act authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile.”*

*Original act, ch. 220.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the corporation of the city of New Orleans be, and are hereby, authorized to appropriate so much of the lot of ground on which Fort St. Charles formerly stood, as may be necessary for continuing Esplanade street to the Mississippi river ; and, also, to sell and convey that portion of the said ground which lies below said street. The proceeds of such sale shall be applied to the purchase of the ground necessary for the opening of Victory street and the public walk and Elysian fields, and to such other purpose as the said corporation may deem expedient.

Corporation of N. Orleans may sell so much of the ground on which Fort St. Charles stood, as may be necessary for continuing Esplanade street to the river Mississippi; sell the portion below that street, and apply the proceeds for opening Victory street, for a public walk, &c.

Approved, March 30, 1822.

[See Part II, No. 9.]

CHAP. 263.—An act supplementary to the act entitled “An act for the relief of the purchasers of public lands prior to the first day of July, eighteen hundred and twenty.”†

†Original act of 2d March, 1821, chap. 263. Provisions further extended by act of 3d of March, 1823.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all purchasers, and every legal holder of any certificate of the purchase of the public lands of the United States, who were entitled to, but who have not availed themselves of, any of the provisions of the act of Congress of the second of March, one thousand eight hundred and twenty-one, entitled “An act for the relief of the purchasers of public lands prior to the first day of July, one thousand eight hundred and twenty,” be allowed, at any time on or before the thirtieth day of September, one thousand eight hundred and twenty-two, to surrender their certificates of purchase, to accept, and on filing such acceptances shall be entitled and subject to such of the provisions of the aforesaid act as

Those who did not avail themselves of the provisions of the act of 2d March, 1821—

Allowed until 30th September, 1822, to surrender certificates, &c.

apply to cases where complete payment may be made of any tract of land prior to the thirtieth day of September next.

SEC. 2. And be it further enacted, That all purchasers, Purchasers, &c. who did not accept the provisions of the act of March 2, 1821, and who do not avail themselves of the provisions of the 1st section of this act, may file their acceptances, &c., and will be entitled to all the benefits, &c. of the act of March 2, 1821, relating to relinquishment, classification, &c.

and every legal holder of any certificate of purchase, of the public lands of the United States, who may not have accepted any of the provisions of the aforesaid act of March second, one thousand eight hundred and twenty-one, or who may not avail themselves of the provisions of the first section of this act, be permitted, at any time prior to the thirtieth of September next, to file their acceptances and surrender their certificates of purchase, and shall be entitled to all the benefits and subject to all the provisions of the aforesaid act of March second, one thousand eight hundred and twenty-one, which relate in any manner to relinquishment and classification, and to the extension of the time of payment by instalments, and the proceedings in relation thereto, in the same manner as if such acceptances had been filed on or before the thirtieth of September last.

SEC. 3. And be it further enacted, That all purchasers, Purchasers, &c. who have filed their acceptances, &c. under the act of 2d March, 1821, relative to payments by instalments, permitted, notwithstanding, to make complete payment, with discount, on any tract, by the 30th Sept. 1822.

and every legal holder of any certificate of purchase, of the public lands of the United States, who may have filed their acceptances and surrendered their certificates of purchase, and accepted the provisions of the aforesaid act of March second, one thousand eight hundred and twenty-one, which relate to payments to be made by instalments, be permitted, notwithstanding their acceptances heretofore filed, to make complete payment on any tract of land on or before the thirtieth day of September next, and shall be entitled to the discount provided for by the fourth section of the aforesaid act.

SEC. 4. And be it further enacted, That it shall be the duty of the registers and receivers of the several land offices of the United States to perform the duties prescribed by, or necessary to carry into complete effect, the provisions of this act, according to the forms and instructions heretofore given by the Treasury Department; to keep full and faithful accounts and records of all proceedings under the same, in the manner prescribed by the eighth section of the aforesaid act; to make report of the same to the Treasury Department within the term of three months from the thirtieth of September next, and shall receive, as compensation for like services, the fees provided for by the seventh and eighth sections of said act.

SEC. 5. And be it further enacted, That every tract of land which would have been forfeited from a failure to file an acceptance and to surrender the certificate of purchase on or before the thirtieth of September, one thousand eight hundred and twenty-one, be, and the same is hereby, exempted from forfeiture and sale until the thirtieth day of September next, and no longer.

Lands that would have been forfeited, &c., exempted until 30th Sept. 1822.

Approved, April 20, 1822.

[See Part II, Nos. 13, 110, 279, 280, 281, 282, 287, 289, 291, 292, 297, 298, 299, 300, 312, 313, 321, 324, 306, 486.]

CHAP. 264.—An act supplementary to an act entitled “An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive.”*

*Original act of 2d March, 1817, chap. 203. See chapters 410 and 448.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any individual or individuals, named in the contract entered into between the Secretary of the Treasury and Charles Villar, agent of the French Association, on the eighth day of January, in the year one thousand eight hundred and nineteen, by virtue of the act of Congress entitled “An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive,” passed on the third day of March, one thousand eight hundred and seventeen, or the heirs or devisees of such individual or individuals, shall have complied with the conditions of settlement and cultivation in the said contract prescribed, in proportion to his or their interest, under the said contract, and in the lands thereby set apart, and shall have paid the amount of purchase-money, proportionate to his or their interest in said land, within the particular periods in the said contract limited, it shall and may be lawful for the Secretary of the Treasury, and he is hereby required, to cause letters patent to be issued to such individual or individuals, or his or their heirs or devisees, for the amount of his or their interest in the lands set apart and contracted for by virtue of the said act, any thing in the said act or contract contained to the contrary notwithstanding: saving, always, to the widow of any such deceased proprietor her right of dower in said lands, according to the laws of the State of Alabama.

When any individual of the association, his heirs or devisees, shall have complied with the conditions of settlement and cultivation, in proportion to his interest, and paid the amount of purchase-money, &c., the Secretary of the Treasury is to cause a patent to issue for the proportionate interest of the individual in the lands set apart.

Saving to the widow her right of dower, according to the laws of Alabama.

Approved, April 26, 1822.

[See Part II, Nos. 13, 87, 88, 101.]

CHAP. 265.—An act to perfect certain locations and sales of public lands in Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the locations heretofore made of warrants issued under the act of the fifteenth of February, one thousand eight hundred and fifteen, entitled “An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes,”† if made in pursuance of the provisions of that act in other respects, shall be perfected into grants, as if they had conformed to the sectional or quarter sectional lines, &c.

Locations of warrants under the act of 15th Feb. 1815, if made in pursuance of that act in other respects, shall be perfected into grants, as if they had conformed to the sectional or quarter sectional lines, &c.

†Chapter 803.

The sales of fractions from such locations valid, &c.

SEC. 2. *And be it further enacted,* That, hereafter, the holders and locators of such warrants shall be bound, in locating them, to conform to the sectional or quarter sectional lines of the public surveys as nearly as the respective quantities of the warrants will admit; and all such warrants shall be located within one year after the passage of this act, in default whereof the same shall be null and void.

Approved, April 26, 1822.

[See Part II, Nos. 10, 11, 12, 15, 17, 23, 62, 695.]

CHAP. 266.—An act providing for the disposal of the public lands in the State of Mississippi, and for the better organization of the land districts in the States of Alabama and Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that tract of country which was ceded to the United States by a treaty with the Choctaw Indians, held on the eighteenth day of October, in the year of our Lord one thousand eight hundred and twenty, near Doake's Stand, in the State of Mississippi, be, and the same is hereby, formed into a land district; and for the disposal of the public lands in said district, a land office shall be established within the same, at such convenient place as the President of the United States may direct and appoint; and for said office a register and a receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond, with security, before entering on the duties of their respective offices, in like manner and for like sums, shall receive similar compensation, fees, and emoluments, and shall perform similar duties and possess similar powers, with all other registers and receivers of public moneys of the United States, appointed by law for the disposal of the public land, and shall in all respects be governed by the laws of the United States providing for the disposal of the public land: *Provided, however,* That the first sale of the lands within the district aforesaid may be held at such convenient place within the district west of Pearl river as the President of the United States may appoint: *And provided, also,* That the President may, if it should be necessary in consequence of the establishment of a new basis meridian, attach a portion of the land otherwise belonging to the district established by this act to the district west of Pearl river.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized, when he shall think proper, to cause so much of the land within the district created by this act, or which may be attached to the district of Pearl river, and which may be surveyed, to be exposed to sale, on the same terms and conditions and in the same manner as all other public lands of the United States,

Hereafter holders, &c. of such warrants are to conform, &c., and such warrants to be located within a year, or they will be null.

The tract of country ceded by the Choctaws, on the 18th October, 1820, formed into a land district.

Land office at such place as the President may direct.

A register and receiver to be appointed, who are to give bond, with security; to receive similar compensation, and perform like duties, as other registers and receivers, &c.

Proviso; as to the first sale of lands.

Proviso; the President may attach a portion of the land to the district west of Pearl river, if &c.

The President may cause so much of the land, &c. surveyed, to be sold, as other public lands.

Except section No. 16, for the use of schools in each township, &c.

Patents to issue, as in other cases.

The lands lying east of the Tombigbee, in Mississippi, to which the Indian title has been extinguished, attached, after 30th Oct. 1822, to the district established by this act, and to be sold, except section No. 16, &c.

The register of the district of Madison county to transfer books, &c.

Part of the district east of Pearl river attached to the district of Jackson county.

The President to cause the land office to be removed, &c.

Part of the district of Jackson county attached to the district east of Pearl river.

Books, &c. to be transferred by the registers, &c.

with the exception of section numbered sixteen, in each township, which shall be reserved for the use of schools within the same ; and of such other reservations as now may or hereafter may exist, by virtue of any act of cession, treaty, or law, of the United States. And for the lands so sold patents shall issue on the terms and conditions and in the manner provided by law in relation to all other public lands of the United States.

SEC. 3. *And be it further enacted,* That all the lands lying on the east side of the Tombigbee river, in the State of Mississippi, and to which the Indian title has been extinguished, be, after the thirtieth day of October next, attached to the district established by the first section of this act ; and the public lands therein shall be sold on the same terms and conditions, and in the same manner, and patents shall issue for the lands so sold agreeably to the provisions of the laws for the disposal of the public lands of the United States in the State of Mississippi, with the exception of the section numbered sixteen, in each township, which shall be reserved for the use of schools within the same, and of such other reservations as now are made or hereafter may be made by law. And it shall be the duty of the register of the district of Madison county, under the direction of the Commissioner of the General Land Office, to transfer such books, maps, and records, or transcripts thereof, to the register appointed for the district established by the first section of this act, as may be necessary to carry into complete effect the provisions of this section of this act.

SEC. 4. *And be it further enacted,* That, from and after the thirtieth day of October next, such part of the district east of Pearl river as lies within the State of Mississippi be attached to and constituted a part of the district of Jackson county ; and the President of the United States shall cause the land office to be removed to such place within the district of Jackson county, as established by this act, as he may deem convenient ; and that part of the district of Jackson county which lies within the State of Alabama shall be attached to and constitute a part of the district east of Pearl river, in Alabama ; and it shall be the duty of the register of the district east of Pearl river, and of the register of the district of Jackson county, each to transfer to the other such books, records, surveys, or the transcripts thereof, as shall be necessary to carry into complete effect the provisions of this section of this act.

Approved, May 6, 1822.

[See Part II, Nos. 64, 283, 315, 408, 808, 825, 853, 862, 913, 921, 923, 952, 954.]

CHAP. 267.—An act authorizing the location of certain school lands in the State of Indiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the register of the land office at Brookville be, and he is hereby, authorized to select school lands within the said district, equivalent to the one thirty-sixth part of the reservation commonly called Clark's grant, for the use of schools within the same; and the register of the land office at Terre Haute is hereby, in like manner, authorized to select within his district school lands, which, together with the eleven sections already selected, shall be equivalent to the one thirty-sixth part of the Vincennes donation tract, for the use of schools within said tract. It shall be the duty of the registers aforesaid, in making such selections, to be confined to section numbered twenty in each township, and the selection so made shall be reserved from sale.

Approved, May 7, 1822.

The register at Brookville authorized to select school lands equivalent to the 1-36th part of the reservation called Clark's grant, for the use of schools.

The register at Terre Haute likewise authorized to select school lands.

The registers, in their selections, to be confined to section No. 20, &c.

CHAP. 268.—An act vesting in the commissioners of the counties of Wood and Sandusky the right to certain lots in the towns of Perrysburg and Croghansville, in the State of Ohio, for county purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the right to all the unsold town lots and out-lots in the town of Perrysburgh be, and the same is hereby, vested in the commissioners of Wood county, in the State of Ohio; and the right to all the unsold town lots and out-lots in the town of Croghansville be, and the same is hereby, vested in the commissioners of Sandusky county, in said State; on condition that said commissioners shall permanently locate the seat of justice for their respective counties at said towns; and that the nett proceeds of the sales of so many of said lots as are necessary to be retained for the purpose of erecting public buildings thereon be applied to the erection and improvement of the public buildings and squares in said towns, respectively.

Approved, May 7, 1822.

The right to unsold town lots, &c. in Perrysburgh, vested in the commissioners of Wood county, &c.

The right to unsold town lots, &c. in Croghansville, vested in the commissioners of Sandusky county, &c.

The seat of justice to be permanently located at those towns, and the nett proceeds of sales of lots, &c. to be applied to the erection and improvement of the public buildings, &c. in the towns, &c.

[See Part II, No. 389.]

CHAP. 269.—An act requiring surveyors general to give bond and security for the faithful disbursement of public money, and to limit their term of office.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the passing of this act, every surveyor general, commissioned by the authority of the Uni-

Every surveyor general to give bond, with security, in the penal sum of \$30,000, for the faithful disbursement of public money, and performance of his official duties.

ted States, shall, before entering on the duties of his office, and every surveyor general now in commission shall, on or before the thirtieth day of September next, execute and deliver, to the Secretary of the Treasury of the United States, a bond, with good and sufficient security, for the penal sum of thirty thousand dollars, conditioned for the faithful disbursement, according to law, of all public money placed in his hands for disbursement, and for the faithful performance of the duties of his office.

The commissions of surveyors general now in office, &c., to cease on 1st Feb. 1823.

Commissions of surveyors general hereafter appointed, to expire in four years from the dates.

The President may require any surveyor general to give new bond and additional security, &c.

SEC. 2. *And be it further enacted*, That the commission of every surveyor general now in office shall, unless sooner vacated, by death, resignation, or removal from office, cease and expire on the first day of February next; and the commission of every surveyor general, hereafter commissioned by the authority of the United States, shall cease and expire, unless sooner vacated, by death, resignation, or removal from office, in four years from the date of the commission.

SEC. 3. *And be it further enacted*, That the President of the United States shall, and he is hereby authorized, whenever he may deem it expedient, require any surveyor general of the United States to give new bond and additional security, under the direction of the Secretary of the Treasury, for the faithful disbursement, according to law, of all money placed in his hands for disbursement.

Approved, May 7, 1822.

CHAP. 270.—An act confirming claims to lots in the town of Mobile, and to land in the former province of West Florida, which claims have been reported favorably on by the commissioners appointed by the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the claims to lots in the town of Mobile, founded on complete grants derived from either the French, British, or Spanish authorities, reported to the Secretary of the Treasury by the commissioner for the district east of Pearl river, appointed under the authority of "An act for ascertaining the titles and claims to land in that part of Louisiana which lies east of the island of New Orleans,"* or which were so reported by the register and receiver, acting as commissioners, under the act of the third of March, one thousand eight hundred and nineteen, entitled, "An act for adjusting claims to land, and establishing land offices, in the districts east of the island of New Orleans,"† which are contained in the reports of the commissioner, or of the register and receiver, acting as commissioners, and which are, in their opinion, valid, agreeably to the laws, usages, and customs, of the said Governments, be, and the same are hereby, recognised as valid.

Claims to lots in Mobile, founded on complete grants from the French, British, or Spanish authorities, reported, &c., recognised as valid.

*Chapter 135.

†Chapter 236.

All claims to lots in Mobile, contained in the reports of the commissioner, &c., founded on or

SEC. 2. *And be it further enacted*, That all the claims to lots in the town aforesaid, reported as aforesaid, and contained in the reports of the commissioner, or of the register and

receiver, acting as commissioners, founded on orders of survey, requettes, permissions to settle, or other written evidences of claims, derived from either the French, British, or Spanish authorities, and bearing date prior to the twentieth of December, one thousand eight hundred and three, and which ought, in the opinion of the commissioner, to be confirmed, shall be confirmed in the same manner as if the title had been completed.

ders of survey, &c. derived from the French, British, or Spanish authorities, bearing date prior to 20th Dec. 1803, &c., confirmed, &c.

SEC. 3. *And be it further enacted*, That all the claims to lots in the town aforesaid, reported as aforesaid, and contained in the reports of the commissioner, or of the register and receiver, acting as commissioners, founded on private conveyances which have passed through the office of the commandant, or other evidence, but founded, as the claimants allege, on grants lost by time and accident, and which ought, in the opinion of the commissioner, to be confirmed, shall be confirmed in the same manner as if the titles were in existence: *Provided*, That, in all such claims where the quantity claimed is not ascertained, no one claim shall be confirmed for a quantity exceeding seven thousand two hundred square feet.

All claims to lots in Mobile, contained in the reports of the commissioner, &c., founded on private conveyances, &c., confirmed, &c.

Provided; where the quantity is not ascertained, no one claim to be confirmed for more than 7,200 square feet.

SEC. 4. *And be it further enacted*, That for all the other claims to lots in the town aforesaid, reported as aforesaid, which are contained in the report of the register and receiver, and which, by the said report, appear to have been built upon, or improved and occupied, on or before the fifteenth day of April, one thousand eight hundred and thirteen, the claimant shall be entitled to grants therefor as donations: *Provided*, That in all such claims, where the quantity claimed is not ascertained, no one claim shall be confirmed for a quantity exceeding seven thousand two hundred square feet: *And provided, also*, That all the confirmations and grants provided to be made by this act shall amount only to a relinquishment forever, on the part of the United States, of all right and title whatever to the lots of land so confirmed or granted.

For all other claims to lots in Mobile, contained in the report of the register and receiver, built upon, &c. on or before April 15, 1813, grants to issue as donations.

Provided; where the quantity is not ascertained, no claim to be confirmed for more than 7,200 square feet; and the confirmations and grants by this act, to amount only to a relinquishment forever, &c.

SEC. 5. *And be it further enacted*, That the registers and receivers of the land offices at St. Helena Court-house and at Jackson Court-house, respectively, shall have the same powers to direct the manner in which all lands confirmed by this act shall be located and surveyed, and also to decide between the parties in all conflicting and interfering claims, as are given by the act entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans."*

Registers and receivers of the land offices at St. Helena and Jackson Court-houses, to have the same powers, &c. as are given by the act supplementary, &c.

*Chapter 223.

Approved, May 8, 1822.

[See Part II, Nos. 19, 296, 819, 824.]

CHAP. 271.—An act to establish an additional land office in the State of Illinois.

So much of the public lands within the bounds described, in Illinois, so form a land district, &c.

A land office, as the President may designate.

A register and receiver for the land office, &c., to reside at the place established, give security, &c.

Proviso; the appointments not to be made until a sufficient quantity of public lands has been surveyed, &c.

The provisions of the 2d, 3d, and 5th sections of the acts of 3d March, 1819, and of 24th April, 1890, made applicable to the district and office, so far, &c.

*Chapter 223.

†Chapter 240.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the public lands of the United States as lies east of the Mississippi river, north of the line separating the thirteenth and fourteenth tiers of townships north of the base line, and west of the third principal meridian, in the State of Illinois, shall form a land district, for the disposal of the said lands, and for which purpose a land office shall be established at such place therein as the President of the United States shall designate, until the same shall be permanently fixed by law.

SEC. 2. *And be it further enacted,* That there shall be a register and receiver appointed to the said land office, to superintend the sales of the public lands in the said district, who shall reside at the place where the said office shall be established as aforesaid, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authorities, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands: *Provided,* That the said appointments shall not be made until a sufficient quantity of public lands shall have been surveyed within the said district to authorize, in the opinion of the President, a public sale of lands within the same.

SEC. 3. *And be it further enacted,* That the provisions of the second, third, and fifth sections of the act entitled "An act to designate the boundaries of districts, and establish land offices, for the disposal of the public lands not heretofore offered for sale, in the States of Ohio and Indiana,"* approved March third, eighteen hundred and nineteen, and the act entitled "An act making further provision for the sale of the public lands,"† approved April twenty-fourth, eighteen hundred and twenty, be, and the same are hereby, made applicable to the said district and office, so far as they are not changed by subsequent laws of the United States.

Approved, May 8, 1822.

[See Part II, Nos. 64, 317, 328.]

CHAP. 272.—An act to designate the boundaries of a land district, and for the establishment of a land office, in the State of Indiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the sale of the unappropriated public lands in the State of Indiana, to which the Indian title is ex-

A district and land office for the sale of unappropriated public lands in Indiana, &c.

tinguished, the following district shall be formed, and a land office established: all the public lands, as aforesaid, to which the Indian title was extinguished by the treaties concluded at St. Mary's, in the month of October, eighteen hundred and eighteen, lying east of the range line separating the first and second ranges east of the second principal meridian extended north to the present Indian boundary, and north of a line to be run separating the tiers of townships numbered twenty and twenty-one, commencing on the old Indian boundary, in range thirteen east of the said principal meridian, in Randolph county, and the said district to be bounded on the east by the line dividing the States of Ohio and Indiana, shall form a district, for which a land office shall be established at Fort Wayne.

Boundaries of the District.

A land office at Fort Wayne.

SEC. 2. *And be it further enacted*, That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, for the aforesaid district, a register of the land office and a receiver of public moneys; which appointments shall not be made for the aforesaid land district until a sufficient quantity of public lands shall have been surveyed within the said district as to authorize, in the opinion of the President, a public sale of land within the same: which register of the land office and receiver of public moneys, when appointed, shall each, respectively, give security in the same sums, and in the same manner, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in respect to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the public lands of the United States in the States of Ohio and Indiana.

The President to appoint a register and receiver when a sufficient quantity of public land shall have been surveyed, &c.

Register and receiver to give security, &c.

SEC. 3. *And be it further enacted*, That all the public lands within the aforesaid district, to which the Indian title has been extinguished, and which have not been granted to or secured for the use of any individual or individuals, or appropriated and reserved for any other purpose by any existing treaties or laws, and with the exception of section numbered sixteen in each township, which shall be reserved for the support of schools therein, shall be offered for sale to the highest bidder, at the land office for the said district, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the land shall be sold in tracts of the same size, on the same terms and conditions, and in every respect, as provided by the act entitled "An act making further provision for the sale of the public lands,"* approved April twenty-fourth, eighteen hundred and twenty.

All the public lands in the district, not granted, or reserved, &c., except section No. 16, &c., to be offered for sale to the highest bidder, under direction of the register and receiver, on such days as the President may designate by proclamation.

The lands to be sold in tracts, &c., as provided by act of 4th April, 1820.

*Chapter 240. The President may remove the land office to a suitable place, whenever he judges it expedient.

SEC. 4. *And be it further enacted*, That the President of the United States shall have power, and he is hereby au-

thorized, to remove, whenever he shall judge it expedient so to do, the land office aforesaid, to such suitable place, within the said district, as he shall judge most proper.

The register and receiver to receive \$5 for each day's attendance in superintending public sales.

SEC. 5. *And be it further enacted*, That the register of the land office and receiver of public moneys shall, each, receive five dollars for each day's attendance in superintending the public sales in the said district.

Approved, May 8, 1822.

[See Part II, No. 64.]

CHAP. 273.—An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the claims to land said to be derived from the British or Spanish authorities, reported to the Commissioner of the General Land Office by the registers and receivers of the land offices at St. Helena Court-house and at Jackson Court-house, in the districts east and west of Pearl river, appointed under the authority of an act entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans,"* which are contained in the several reports of the registers and receivers, and which are, in the opinion of the registers and receivers, valid, agreeably to the laws, usages, and customs, of the said Governments, be, and the same are hereby, recognised as valid and complete titles, against any claim on the part of the United States, or right derived from the United States.

Claims to land derived from British or Spanish authorities, reported to the Commissioner of the General Land Office by the registers and receivers at St. Helena and Jackson Court-houses, &c., which, in their opinion, are valid, &c., recognised as complete titles, &c.
*Chapter 236.

SEC. 2. *And be it further enacted*, That all the claims reported as aforesaid, and contained in the several reports of the said registers and receivers, founded on orders of survey, requettes, permission to settle, or other written evidences of claims, derived from the Spanish authorities, which ought, in the opinion of the registers and receivers, to be confirmed, shall be confirmed in the same manner as if the title had been completed : *Provided*, That the confirmation of all the said claims provided for by this act shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted.

All claims reported, &c. founded on orders of survey, requettes, &c., derived from the Spanish authorities, &c., confirmed.

Provido; the confirmation of claims provided for, to amount only to a relinquishment forever on the part of the U. States.

Every person, &c. whose claim is comprised in the lists, &c. reported by the registers and receivers, and persons embraced in the list of actual settlers, if actually inhabiting, &c. on or before April 15, 1818, entitled to a grant, &c.

SEC. 3. *And be it further enacted*, That every person, or his or her legal representative, whose claim is comprised in the lists or registers of claims reported by the registers and receivers, and the persons embraced in the lists of actual settlers, or their legal representatives, not having any written evidence of claim reported as aforesaid, shall, when it appears by the said reports, or by the said lists, that the land claimed or settled on had been actually inhabited or cultivated by such person or persons in whose right he claims, on

or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed or settled on, as a donation : *Provided*, That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres ; and that no lands shall be thus granted which are claimed or recognised by the preceding sections of this act, or by virtue of the confirmation under an act entitled " An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans,"* approved on the third day of March, eighteen hundred and nineteen : *And provided, also*, That no claim shall be confirmed where the quantity was not ascertained, and report made thereon by the registers and receivers, prior to the twenty-fifth day of July, one thousand eight hundred and twenty.

Provide ; not more than 640 acres to one person ; and no lands to be thus granted which are claimed by preceding sections, &c.

*Chapter 236.

Provide ; no claim confirmed where the quantity was not ascertained, and report made, prior to 25th July, 1820.

SEC. 4. *And be it further enacted*, That the registers and receivers of the public moneys of the said respective districts, except in relation to perfect titles, as recognised in the first section of this act, and the first section of the act of the third day of March, one thousand eight hundred and nineteen, shall have power to direct the manner in which all lands claimed in virtue of the preceding sections shall be located and surveyed ; and, also, to direct the location and manner of surveying all the claims to land recognised by the second, third, and fourth sections of an act entitled " An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans,"† approved on the third day of March, one thousand eight hundred and nineteen, having regard to the laws, usages, and customs, of the Spanish Government on that subject ; and having regard, also, to the mode adopted by the Government of the United States in surveying the claims to land confirmed by virtue of the second and third sections of an act of Congress entitled " An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the State of Tennessee,"‡ approved on the third March, one thousand eight hundred and three. And that, in relation to all such claims which may conflict, or in any manner interfere, the said registers and receivers of public moneys of the respective districts shall have power to decide between the parties, and shall, in their decision, be governed by such conditional lines or boundaries as may have been agreed on between the parties, either verbally or in writing, at any time prior to the passage of this act. But upon the decision of those claims alluded to, which may conflict or interfere, and in relation to which the parties interested have agreed on no conditional lines or boundaries as to the manner of locating the same, the said registers and receivers of the respective districts shall make an equal division of the land claimed, so as to allow each party his or their improvements : *Provided, however*, That should it be made appear, to the satisfaction of the register and receiver of public moneys of the respective districts,

Registers and receivers, except in relation to perfect titles, as recognised, &c. empowered to direct the manner in which the lands shall be located and surveyed, having regard, &c.

†Chapter 236.

‡Chapter 62.

The registers and receivers may decide on conflicting claims, &c.

Provide ; where the subsequent settler has obstructed on the claim of the former, &c. the reg-

isters and receivers may decide according to the circumstances of the case and the principles of justice.

in any such case, that the subsequent settler had obtruded on the claim of the former, and had made his establishment after having been forbid so to do, the said registers and receivers of public moneys shall have power to decide between the parties, according to the circumstances of the case and the principles of justice.

Patents for lands under this act to be granted as for lands confirmed under former acts.

SEC. 5. *And be it further enacted*, That patents shall be granted for all lands confirmed by virtue of the provisions of this act, in the same manner as patents are granted for lands confirmed under former acts, to which this is a supplement.

Persons entitled to tracts under the 2d and 3d sections of this act to be furnished with certificates by the register and receiver, &c.

SEC. 6. *And be it further enacted*, That, to every person who shall appear to be entitled to a tract of land, under the second and third sections of this act, a certificate shall be granted by the register and receiver of the district in which the land lies, setting forth the nature of the claim and the quantity allowed; for which certificate the party in whose favor it issues shall pay one poller, to be divided between the said receiver and register.

The party to whom a certificate issues, to pay a dollar, &c.

The President authorized to remove the land office from St. Helena Court-house, &c.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to remove the land office from St. Helena Court-house to such other place, within the said districts, as he may deem suitable and convenient.

Approved, May 8, 1822.

[See Part II, Nos. 19, 296, 398, 670, 671, 672, 673, 674, 676, 697, 699, 700, 702, 706, 707, 714, 819, 824.]

CHAP. 274.—An act for ascertaining claims and titles to land within the Territory of Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purpose of ascertaining the claims and titles to lands within the Territory of Florida, as acquired by

The President, &c. to appoint 3 commissioners for ascertaining claims and titles to lands in Florida.

the treaty of the twenty-second of February, one thousand eight hundred and nineteen, there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, three commissioners, who shall receive, as compensation for the duties enjoined by the provisions of this act, two thousand dollars each, to be paid quarterly, from the Treasury; who shall open an office for the adjudication of claims, at Pensacola, in the Territory of West Florida, and St. Augustine, in East Florida, under the rules, regulations, and conditions, hereinafter prescribed.

\$2,000 to each of the commissioners, &c.

Commissioners to open an office for adjudication of claims at Pensacola and St. Augustine.

SEC. 2. *And be it further enacted*, That it shall be the duty of said commissioners to appoint a suitable and well-qualified secretary, who shall record, in a well-bound book, all and every their acts and proceedings, the claims admitted, with those rejected, and the reason of their admission or rejection. He shall receive, as a compensation for his services,

The commissioner to appoint a secretary: his duties.

\$1,250 to the secretary, &c.

one thousand two hundred and fifty dollars, to be paid quarterly, from the Treasury. He shall be acquainted with the Spanish language; and, before entering on a discharge of the duties of his office, shall take and subscribe an oath, before some authority competent to administer it, that he will *well and truly and faithfully discharge the duties assigned him, and translate all papers that may be required of him by the commissioners.*

Secretary must be acquainted with the Spanish language; and to take an oath.

SEC. 3. *And be it further enacted*, That said commissioners, previously to entering on a discharge of the duties assigned them, shall, before the judge of the territorial court at Pensacola, or some other authority in his absence, competent to administer it, take an oath *faithfully to discharge the duties of their offices*, and shall commence and hold their sessions on or before the first Monday of July next, at Pensacola, and on the first Monday of January thereafter, at St. Augustine, for the ascertaining and determining of all claims to land within said Territories; notice of which shall be given, by said commissioners, in some newspaper printed at each place, or, if there be no newspaper, at the most public places in said cities, respectively, of the time at which their sessions will commence, requiring all persons to bring forward their claims, with evidence necessary to support them. The session at St. Augustine shall terminate on the thirtieth of June, one thousand eight hundred and twenty-three, when said commissioners shall forward to the Secretary of the Treasury, to be submitted to Congress, a detail of all they have done, and deliver over to the surveyor all the archives, documents, and papers, that may be in their possession.

Commissioners to take an oath, &c.

Time of the sessions of commissioners, &c.

Notice to be given of the time of the sessions, &c.

Session at St. Augustine to terminate on the 30th of June, 1823.

Commissioners to forward to the Secretary of the Treasury a detail of their proceedings, &c.

SEC. 4. *And be it further enacted*, That every person, or the heirs or representatives of such persons, claiming title to lands under any patent, grant, concession, or order of survey, dated previous to the twenty-fourth day of January, one thousand eight hundred and eighteen, which were valid under the Spanish Government, or by the law of nations, and which are not rejected by the treaty ceding the Territory of East and West Florida to the United States, shall file, before the commissioners, his, her, or their claim, setting forth, particularly, its situation and boundaries, if to be ascertained, with the deraignment of title, where they are not the grantees or original claimants; which shall be recorded by the secretary, and who, for his services, shall be entitled to demand from the claimants ten cents for each hundred words contained in said papers so recorded; he shall be also entitled to twenty-five cents for each subpoena issued: *Provided*, That if the amount so received shall exceed one thousand two hundred and fifty dollars, which is hereby declared the compensation for his services, the excess shall be reported to the commissioners, and be subject to their disposition; and said commissioners shall proceed to examine and determine on the validity of said patents,

Persons, &c. claiming title to lands under any patent, &c. dated previous to 24th Jan. 1818, valid, &c. and not rejected by the treaty ceding the Florida, to file their claims, &c.

Claims to be recorded.

10 cents for each hundred words, and 25 cents for each subpoena issued.

Provido; if the amt of fees received exceeds \$1,500, the excess is to be reported by the secretary to the commissioners, subject to their disposition, &c.; and the commissioners

to proceed to determine on the validity of patents, &c. having regard to the 8th article of the treaty of 22d February, 1819.

Claims not filed prior to 31st May, 1823, void.

Provido; where land is claimed by titles from the British and Spanish Governments, the commissioners not to decide, but report, &c.

Powers of the commissioners.

Provido; confirmation of claims by commissioners not to affect the rights of third persons.

Provido; commissioners not to confirm where the claim is undefined, &c., but to report, &c.

A dollar a day to each witness attending, &c.

Provido; commissioners not to act on, &c. any British grant, &c. but those claimed and owned by citizens of the U. States, &c.

grants, concessions, and orders of survey, agreeably to the laws and ordinances heretofore existing of the Governments making the grants, respectively, having due regard, in all Spanish claims, to the conditions and stipulations contained in the eighth article of a treaty concluded at Washington, between his Catholic Majesty and the United States, on the twenty-second of February, one thousand eight hundred and nineteen; but any claim not filed previous to the thirty-first day of May, one thousand eight hundred and twenty-three, shall be deemed and held to be void and of none effect: *Provided, nevertheless, and be it further enacted*, That in all claims submitted to the decision of the commissioners, where the same land, or any part thereof, is claimed by titles emanating both from the British and Spanish Governments, the commissioners shall not decide the same, but shall report all such cases, with an abstract of the evidence, to the Secretary of the Treasury.

SEC. 5. *And be it further enacted*, That the commissioners shall have power to inquire into the justice and validity of the claims filed with them; and shall be, and are hereby, authorized to administer oaths, to compel the attendance of witnesses by subpœnas issued by the secretary, and the ad-
duction of such testimony as may be wanted; they shall have access to all papers and records of a public nature relative to any land titles within said provinces, and to make transcripts thereof. They shall examine into claims arising under patents, grants, concessions, and orders of survey, where the survey has been actually made previous to the twenty-fourth January, one thousand eight hundred and eighteen, whether they are founded upon conditions, and how far those conditions have been complied with; and if derived from the British Government, how far they have been considered valid under the Spanish Government; and if satisfied that said claims be correct and valid, shall give confirmation to them: *Provided*, That such confirmation shall only operate as a release of any interest which the United States may have, and shall not be considered as affecting the rights of third persons: *And provided*, That they shall not have power to confirm any claim or part thereof where the amount claimed is undefined in quantity, or shall exceed one thousand acres; but in all such cases shall report the testimony, with their opinions, to the Secretary of the Treasury, to be laid before Congress, for their determination. Every witness, attending under any process from the commissioners, shall be allowed one dollar a day, and one dollar for every twenty miles' travel; to be paid by the party summoning him: *Provided, nevertheless*, That the commissioners shall not act on, or take into consideration, any British grant, patent, warrant, or order of survey, but those which are bona fide claimed and owned by citizens of the United States, and which have never been compensated for by the British Government.

SEC. 6. *And be it further enacted,* That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a surveyor, who shall possess the power and authority, and receive the same salary, as by law appertains to the surveyor south of the State of Tennessee; but his duties shall not commence until the commissioners shall have examined and decided upon the claims in West Florida, who shall thereupon furnish the surveyor with a list of those admitted, and he shall thereupon proceed to survey the country, taking care to have surveyed, and marked, and laid down, upon a general plan, to be kept in his office, the metes and bounds of the claims so admitted; causing the same to be surveyed at the expense of the claimants, the price whereof shall be the same as is paid for surveying the public lands; but no surveyor shall charge for any line except such as may be actually run, nor for any line not necessary to be run. He shall appoint a suitable number of deputies, and shall fix and determine their fees: *Provided,* That the whole cost of surveying shall not exceed four dollars a mile: *And provided, also,* That none other than township lines shall be run where the land is deemed unfit for cultivation. Said surveyor shall reside at such place as the President of the United States may direct, and shall keep his office there, and may charge the following fees, to wit: for recording the plat and surveys of private claims made by any of his deputies, twenty-five cents for each mile contained in the boundary of such survey, and twenty-five cents for any copy certified from the books of his office.

The President and Senate to appoint a surveyor, &c.

Surveyor's duties not to begin till commissioners have examin'd and decided on claims in West Florida, &c.

Surveys at the expense of the claimants, &c.

Surveyor to appoint deputies.

Proviso; cost of survey not to exceed \$4 a mile.

Proviso; none other than township lines to be run; and surveyor to reside, &c. as the President may direct.

Surveyor's fees for recording, &c.

Approved, May 8, 1822.

[See Part II, Nos. 19, 20, 677, 823, 830, 838, 850, 857, 864, 870, 872, 875, 878, 888, 891, 895, 896, 897, 934, 951, 957, 959.]

CHAP. 275.—An act to enable the proprietors of lands held by titles derived from the United States to obtain copies of papers from the proper department, and to declare the effect of such copies.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever any person, claiming to be interested in or entitled to land under any grant or patent from the United States, shall apply to the Treasury Department for copies of papers filed and remaining therein, in any wise affecting the title to such land, it shall be the duty of the Secretary of the Treasury to cause such copies to be made out, and authenticated under his hand and seal, for the person so applying; and such copies, so authenticated, shall be evidence equally as the original papers.

The Secretary of the Treasury to cause authentic copies of papers filed and remaining in the Treasury Department to be made, &c., and these copies to be equal evidence as the original papers

Approved, January 23, 1823.

CHAP. 276.—An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie du Chien, in the Territory of Michigan,"* approved May the eleventh, one thousand eight hundred and twenty, shall be, and the same is hereby, revived, and shall continue in force until the first day of November next; and it shall be the duty of the said commissioners, as soon thereafter as may be, to forward their report, as is required by the second section of said act, to the Secretary of the Treasury, to be by him laid before Congress at its next session.

Act of 11th May, 1820, revived, and continued in force until 1st November next.

*Chap. 243.

Commissioners to report to the Secretary of the Treasury, to be laid before Congress.

Second section of the act of April 23, 1812, to embrace all persons having claims confirmed below Milk river point.

†Chap. 122.

SEC. 2. *And be it further enacted,* That the second section of the act entitled "An act to authorize the granting of patents for land according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes,"† approved April twenty-third, one thousand eight hundred and twelve, shall be so construed as to embrace all persons who have claims confirmed below Milk river point, at the lower end of Lake St. Clair.

Patents to be issued to persons whose claims have been filed with the commissioners under the act of May 11, 1820.

‡Chap. 243.

SEC. 3. *And be it further enacted,* That patents shall, and they are hereby directed to, be issued, in the mode pointed out by law in other cases, to persons whose claims to lands, town or village lots, have been regularly filed with the commissioners appointed by an act entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie du Chien, in the Territory of Michigan,"‡ passed on the eleventh day of May, one thousand eight hundred and twenty, and whose claims are contained in the report transmitted to the Secretary of the Treasury, and which have been reported favorably on by said commissioners; and such persons are hereby confirmed in their claims, agreeably to any surveys heretofore made, or the lines and boundaries established by the claimants, respectively: *Provided,* That such confirmations shall only amount to a relinquishment forever, on the part of the United States, and that not more than six hundred and forty acres shall be confirmed by virtue of any one claim; nor shall more be confirmed in any case than the quantity claimed; nor shall any claim extend in width more than forty, nor in depth more than eighty, arpens; nor to land heretofore and now reserved by the United States for public uses.

proviso; confirmations only a relinquishment by the United States, and not more than 640 acres to any one claim, &c.

Claimants who have been removed by an officer of the U. States army, to have certificates for

SEC. 4. *And be it further enacted,* That, whenever it shall appear to the said commissioners that any claimant to land, or a town or village lot, at Green Bay or Prairie du Chien,

cannot establish his, her, or their claim to the same, in consequence of his, her, or their removal therefrom by any officer of the United States army, it shall be the duty of the said commissioners to issue a certificate to such person or persons for any tract of land, or village lot, which may have been occupied by him, her, or them, after such removal, not exceeding in quantity that originally claimed; on which certificates patents shall issue as in other cases; which claims shall be in all other respects subject to the restrictions and provisions of the third section of this act.

any tract of land, &c. which they have occupied after such removal.

SEC. 5. *And be it further enacted*, That every person who, on the first day of July, one thousand eight hundred and twelve, was a resident of Green Bay, Prairie du Chien, or within the county of Michilimackinaw, and who, on the said day, occupied and cultivated, or occupied a tract of land which had previously been cultivated by said occupant, lying within either of said settlements, and who has continued to submit to the authority of the United States, or to the legal representatives of every such person, shall be confirmed in the tract so occupied and cultivated; and the said commissioners, in adjudicating on claims to land embraced by this act, are authorized to take into their consideration the evidence and facts collected and reported to them by the agents of the United States, pursuant to the provisions of the act of the eleventh of May, one thousand eight hundred and twenty,* as well as such other and further evidence and testimony as may or shall be exhibited before them by the claimants, to support their claims. And the register of the land office at Detroit is authorized and required to receive and record all notices and claims to lands provided for by this act, and which shall be exhibited to him on or before the first day of October next: *Provided, however*, That no person shall be confirmed in a greater quantity than six hundred and forty acres; nor shall any tract, so confirmed, exceed eighty arpens from front to rear. And it shall be the duty of the surveyor general of the United States, under the direction of the Secretary of the Treasury, to cause the land confirmed by this act to be surveyed, at the expense of the claimants, respectively; plats of which shall be returned as in other cases, and patents therefor shall be granted to the several claimants in the manner prescribed by law.

Occupants of land in Green Bay, Prairie du Chien, or Michilimackinaw, on the 1st of July, 1812, who have continued under the authority of the United States, or their legal representatives, to be confirmed in the land occupied, &c.

Evidence in adjudicating claims.

*Chap. 243.

Register to receive and record notices, &c.

Proviso; no confirmation for more than 640 acres; nor, &c.

Land to be surveyed, &c.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to allow to the former agent, and to each of the persons whose duty it is made to carry this law into effect, such sum, in addition to the sum allowed by the first-recited act, as he may deem just and reasonable.

An additional sum to be allowed to persons carrying this and former laws into effect.

Approved, February 21, 1823.

[See Part II, No. 713.]

CHAP. 277.—An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claims for lands within the eastern district of the State of Louisiana, described by the register of the land office of the said district, in his report to the Secretary of the Treasury bearing date the sixth of January, one thousand eight hundred and twenty-one, be, and the same are hereby, confirmed against any claim on the part of the United States.

The claims to land in the eastern district of Louisiana, described in a report of the 6th Jan. 1821, confirmed.

SEC. 2. *And be it further enacted,* That the claims for lands within the district north of Red river, in the State of Louisiana, described by the register of the land office of the said district, in his report to the Secretary of the Treasury bearing date the first January, one thousand eight hundred and twenty-one, and included in the first, second, and third classes of claims, be, and the same are hereby, confirmed against any claim on the part of the United States, with the exception of the claims numbered forty and fifty-one in the first class, and of the claims numbered forty-four, forty-five, forty-six, forty-seven, and forty-eight, in the said first class, (which are included in the claim of Baron Bastrop.)

Claims of lands north of Red river, described in a report of 1st January, 1821, confirmed, except, &c.

Approved, February 28, 1823.

[See Part II, No. 19.]

CHAP. 278.—An act for laying out and making a road from the Lower Rapids of the Miami of Lake Erie to the western boundary of the Connecticut Western Reserve, in the State of Ohio, agreeably to the provisions of the treaty of Brownstown.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Ohio is hereby authorized to lay out, open, and construct, a road from the Lower Rapids of the Miami of Lake Erie to the western boundary of the Connecticut Western Reserve, in such manner as the Legislature of said State may by law provide, with the approbation of the President of the United States; which road, when constructed, shall forever remain a public highway.

State of Ohio authorized to lay out a road from the Lower Rapids of the Miami of Lake Erie, to Connecticut Western Reserve, &c.

SEC. 2. *And be it further enacted,* That, in order to enable the State of Ohio to open and construct said road, a tract of land, one hundred and twenty feet wide, whereon to locate the same, together with a quantity of land equal to one mile on each side thereof, and adjoining thereto, to be bounded by sectional lines as run by the United States, to defray the expenses of making said road, is hereby granted to said State; to commence at the Miami Rapids, and terminate at the western boundary of the Connecticut Western Reserve, with full power and authority to sell and convey the

Land granted for the road and expenses.

same, and apply the proceeds to the making of said road; and in case the said tract of land shall sell for a greater sum than shall be sufficient to complete such road, then the residue thereof shall remain with the State of Ohio, as a fund for the purpose of keeping said road in repair: *Provided*, That said road shall be made within the term of four years from the passage of this act: *And provided*, None of the land hereby appropriated for making said road shall be sold for a less price than one dollar and twenty-five cents per acre.

Proviso; road to be made within four years.

Proviso; land granted not to be sold for less than \$1 25 per acre.

SEC. 3. *And be it further enacted*, That, in case any of the lands through which it may be thought expedient to open said road may have been previously sold by the United States, the Secretary of the Treasury is hereby directed to pay such officer as the State of Ohio may appoint for that purpose the nett proceeds of the sales of the quantity thus sold at a minimum price.

If any of the lands have been previously sold, the Secretary of the Treasury to pay the nett proceeds to Ohio, &c.

SEC. 4. *And be it further enacted*, That whenever the Governor of the State of Ohio shall have laid before the President of the United States a survey of the location of said road, accompanied by an act of said State accepting said trust, and providing for making said road within the time above limited, and the President shall have approved the same, then the right of the State to said tract of land shall be considered as complete for the purposes aforesaid; and the President shall direct that, until the first day of June, one thousand eight hundred and twenty-three, none of the public lands shall be sold within three miles on each side of a line, to be drawn direct from the foot of the Rapids of the Miami of Lake Erie to the Lower Rapids of Sandusky, thence to the western boundary of the Connecticut Western Reserve: *Provided*, That nothing in this act contained shall ever hereafter be construed to imply any obligation upon the United States to grant additional lands, or further aids of any sort, towards the opening, making, or keeping in repair, of the road aforesaid.

When the Governor of Ohio shall produce a survey, and an act of the State shall accept the trust, the President shall stop the sale of lands within three miles, &c., until June 1, 1823, &c.

Proviso; no obligation to grant additional land, or aids, &c.

Approved, February 28, 1823.

[See Part II, No. 389.]

CHAP. 279.—An act to revive and continue in force the seventh section of an act entitled “An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana,” approved the eleventh May, eighteen hundred and twenty, and for other purposes.

*See chap. 229.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the seventh section of an act entitled “An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana,”† approved the eleventh of May, one thousand eight hundred and twenty, in relation to back concessions, be, and the same is hereby, re-

Seventh section of the act of May 11, 1820, continued in force for eighteen months.

†Chapter 239.

vived and continued in full force and effect, for the term of eighteen months from and after the passing of this act.

Part of navy store-house lot in New Orleans granted to the corporation of that city.

SEC. 2. *And be it further enacted*, That so much of the lot of land on which is situated the navy store-house, in New Orleans, as may be necessary to continue the street now commenced, leading from Condi street to Market-hall, is hereby granted to and vested in the corporation of the city of New Orleans, for the purpose of continuing the said street.

Approved, February 28, 1823.

[See Part II, Nos. 19, 296, 812, 814.]

CHAP. 280.—An act to repeal so much of an act, passed the eighteenth April, one thousand eight hundred and six, as limits the price of certain lands in the State of Tennessee.

Part of the act of 18th April, 1806, repealed.

*Chapter 82.

Tennessee authorized to affix such price as the State Legislature may deem right and proper.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of an act, passed the eighteenth day of April, one thousand eight hundred and six, entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same,"* which provides "that the lowest price of all lands granted or sold within the ceded territory shall be the same as shall be established by Congress for the lands of the United States," be, and the same is hereby, repealed; and the Legislature of the State of Tennessee are authorized and empowered to affix such price to the lands in said ceded territory as, in their discretion, may be deemed right and proper; any thing in said act of the eighteenth of April, one thousand eight hundred and six, to the contrary notwithstanding.

Approved, February 28, 1823.

CHAP. 281.—An act amending, and supplementary to, the "Act for ascertaining claims and titles to land in the Territory of Florida," and to provide for the survey and disposal of the public lands in Florida.

Powers of the present commissioners of claims, to be confined to West Florida.

Three commissioners to be appointed for East Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the powers of the board of commissioners heretofore appointed, for ascertaining claims and titles to lands in the Territory of Florida, shall be confined, exclusively, to the examination of titles and claims in that portion of said Territory heretofore known as West Florida; and that, for ascertaining titles and claims in East Florida, the President is hereby authorized, in the recess of the Senate,

to appoint three commissioners, which appointments shall be of force until the end of the next session of Congress thereafter, who may appoint their secretary, and who, with their secretary, shall, within the district of East Florida, possess all the powers given by, perform all the duties [duties] required, and shall, in all respects, be subject to, the provisions and restrictions of the act of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the Territory of Florida," except [except] so far as the same is altered or changed by the provisions of this act; which board of commissioners, heretofore appointed, with that hereafter appointed, shall hold their sessions, severally, at the place within their respective districts heretofore designated by law; but may adjourn to some other convenient place within their district, and may continue their sessions until the second Monday in February next, when they shall make a return of their proceedings to the Secretary of the Treasury, to be laid before Congress.

Commissioners to make returns to the Secretary of the Treasury.

SEC. 2. *And be it further enacted*, That, in the examination of titles to land before either of said boards of commissioners, the claimant or claimants shall not be required to produce in evidence the deraignment of title from the original grantee or patentee, but the commissioners shall confirm every claim in favor of actual settlers at the time of session [cession] of the said Territory to the United States, where the quantity claimed does not exceed three thousand five hundred acres, where such deraignment cannot be obtained, the validity of which has been recognised by the Spanish Government, and where the claimant or claimants shall produce satisfactory evidence of his, her, or their right to the land claimed: And said commissioners shall have the power, any law to the contrary notwithstanding, of deciding on the validity of all claims derived from the Spanish Government in favor of actual settlers, where the quantity claimed does not exceed three thousand five hundred acres.

Claimants not compelled to produce evidence of deraignment of title from orig. grantees, &c.

Commissioners to confirm claims of actual settlers at the time of cession of the territory, where the quantity does not exceed 3,500 acres, &c.

SEC. 3. *And be it further enacted*, That each of the commissioners heretofore appointed, who has performed, and shall hereafter perform, the duties assigned him, shall receive compensation in proportion to that heretofore allowed him. And each of the commissioners hereafter appointed for East Florida, who shall actually perform the duties assigned him, shall receive the sum of two thousand dollars, as a full compensation, payable quarterly, from the Treasury of the United States.

Compensation of commissioners to be in proportion, &c.

2,000 dolls. to each of the commissioners of East Florida.

SEC. 4. *And be it further enacted*, That it shall be the duty of the district attorneys for said districts, respectively, whenever required to do so by the commissioners within his district, to attend them for the purpose of arguing and explaining any points of law that may be deemed necessary to be examined; and said attorney shall be entitled to the same compensation therefor as when attending on the district court of said Territory.

District attorneys to attend the commissioners when required.

Compensation of the attorney.

Claims not filed on or before 1st Dec. 1823, to be void.

SEC. 5. *And be it further enacted,* That all claims not filed with the commissioners of the district, where the land claimed is situated, in the manner prescribed by the act to which this is an amendment, on or before the first day of December next, shall be held to be void and of none effect.

Marshal to execute and make return of process, or, &c.

SEC. 6. *And be it further enacted,* That it be the duty of the marshal [marshal] to execute and make return of all process which may be issued by the said commissioners; or the commissioners may, where they deem it necessary, authorize and empower any other person to execute and return said process.

Surveyor to be appointed.

SEC. 7. *And be it further enacted,* That, so soon as the commissioners shall have decided and reported on the private claims in said Territory of Florida, a surveyor shall be appointed for the Territory of Florida, who shall keep his office at such place, within the said Territory, as the President of the United States shall designate; and shall receive the sum of two thousand dollars, payable quarterly, at the Treasury of the United States.

2,000 dollrs. to the surveyor.

Land offices to be established in East and West Florida.

SEC. 8. *And be it further enacted,* That, for the disposal of the lands of the United States lying in the district of East Florida, a land office shall be established and kept at such place, within said district, as the President of the United States shall direct; and that, for the disposal of the lands of the United States lying in the district of West Florida, a land office shall be established at such place, in said district, as the President of the United States shall direct.

When land offices are to be opened.

SEC. 9. *And be it further enacted,* That so soon as, in the opinion of the President of the United States, there shall be a sufficient quantity of the public lands surveyed, within either of the districts of East or West Florida, to authorize the opening of one or both of the land offices aforesaid, he shall cause the same to be opened, and shall proceed, from time to time, to appoint, with the advice and consent of the Senate, for each of the said offices, a register and receiver of the public moneys, who shall give security in the same sums and in the same manner, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands to be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the public lands of the United States.

Register and receiver to be appointed.

The lands to be offered for sale, when a land office is opened, &c.

SEC. 10. *And be it further enacted,* That, whenever a land office shall have been established in either of the districts aforesaid, and a register and receiver of public moneys appointed for the same, the President of the United States shall be, and he is hereby, authorized to direct so much of the public lands, lying in such district, as shall have been surveyed according to law, to be offered for sale, in the same manner, and with the same reservations and exceptions, and on the same terms and conditions, in every respect, as have

been, or may hereafter be, provided for the sale of the public lands of the United States.

SEC. 11. *And be it further enacted*, That an entire township, in each of the districts of East and West Florida, shall be reserved from sale, for the use of a seminary of learning, to be located by the Secretary of the Treasury.

An entire township in each of the districts, to be reserved for a seminary of learning.

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the districts of East and West Florida shall be, and forever remain, public highways.

Rivers and waters of the Territory to be public highways.

SEC. 13. *And be it further enacted*, That so much of the act, approved the eighth day of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to land in the Territory of Florida,"* as is inconsistent with the provisions of this act, be, and the same is hereby, repealed; and so much thereof as provides for the appointment of a surveyor general, and allows him to charge fees, is hereby repealed.

Part of the act of 8th May, 1822, repealed.

*Chap. 274.

Approved, March 3, 1823.

[See Part II, Nos. 19, 20, 04, 314, 677, 823, 830, 833, 860, 857, 864, 670, 872, 875, 878, 888, 891, 895, 896, 897, 934, 951, 957, 959.]

CHAP. 282.—An act providing for the examination of the titles to land in that part of the State of Louisiana situated between the Rio Hondo and the Sabine river.†

†Supplementary act, of 26th May, 1824, chap. 310.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all that tract of country situated between the Rio Hondo and Sabine river, within the State of Louisiana, and previously to the treaty of the twenty-second of February, one thousand eight hundred and nineteen, between the United States and Spain, called the neutral territory, be, and the same is hereby, attached to the district south of Red river; and the register and receiver of the land office in said district are required to receive and record all written evidences of claim to land in said tract of country, derived from, and issued by, the Spanish Government of Texas, prior to the twentieth day of December, one thousand eight hundred and three, according to the regulations, as to the granting of lands, the laws and ordinances of said Government, and to receive and record all evidences of claim, founded on occupation, habitation, and cultivation, designating particularly the time and manner in which each tract was occupied, inhabited, or cultivated, prior to and on the twenty-second February, eighteen hundred and nineteen, and the continuance thereof subsequent to that time, with the extent of the improvement on each tract, and to receive and record such evidence as may be produced, touching the performance of the conditions required to be performed by any holder of any grant, concession, warrant, or order of survey, or other writ-

Land between the Rio Hondo and Sabine river, in the State of Louisiana, attached to the district south of Red river.

Register and receiver to receive and record evidences of claims prior to 30th Dec. 1808, &c.

ten evidence of claim, and on which the validity of such claim may have depended under the Government from which it emanated, and to receive and record all evidence of fraud in obtaining or issuing the written evidence of such claims, and of their abandonment or forfeiture.

Register and receiver to transmit to the Secretary of the Treasury a record of all claims, and the evidence.

An abstract, in four distinct classes, &c.

SEC. 2. *And be it further enacted*, That the register and receiver, as aforesaid, shall transmit to the Secretary of the Treasury a complete record of all the claims presented to them under this act, and the evidence appertaining to each claim, and shall also make out and transmit, to the Secretary of the Treasury, an abstract containing the whole number of claims, in four distinct classes: the first of which shall contain a specification of the nature and extent of complete titles, the time when and by whom issued, and to whom, with the date of any transfer, the name of the person transferring, and to whom transferred, and where the conditions of such grant or patent have been complied with; the second shall contain all claims founded on written evidence, and not embraced in the first class, and where the conditions on which the perfection thereof into complete titles may have depended, according to the laws and ordinances of the Spanish Government, are shown to have been complied with; the third class shall consist of claims founded on habitation, occupation, or cultivation, previously to twenty-second of February, one thousand eight hundred and nineteen, and in the manner which would have entitled the claimants to a title under the Government exercising the sovereign power over that tract of country, and which, in their opinion, ought to be confirmed; the fourth class shall consist of those claims which, in the opinion of the register and receiver, ought not to be confirmed: *Provided*, That nothing contained in this act shall be considered as a pledge on the part of Congress to confirm any claim thus reported.

Provide: no pledge of confirmation.

Register and receiver to hold their session at Natchitoches.

500 dolls. to each.

SEC. 3. *And be it further enacted*, That it shall be the duty of the register and receiver aforesaid, after suitable notice to claimants of the time and place of their meeting, and the object thereof, be given by them, to hold their session at Natchitoches, so long as may be necessary for the performance of the duties herein prescribed, and shall be allowed the sum of five hundred dollars each, as a full compensation for the services required to be performed by this act.

Approved, March 3, 1823

[See Part II, Nos. 19, 675, 727.]

*Further continued. Chap. 340.

CHAP. 283.—An act extending the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office.*

Two years allowed to the officers and soldiers of the Virginia line for obtaining warrants.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers of the Virginia line

on the continental establishment, their heirs or assigns, entitled to bounty lands within the country reserved by the State of Virginia, between the Little Miami and Scioto rivers, shall be allowed a further time of two years, from the fourth day of January, one thousand eight hundred and twenty-three, to obtain warrants, and to complete their locations; and the further time of four years, from the fourth day of January, one thousand eight hundred and twenty-three, to return their surveys and warrants, or certified copies of warrants, to the General Land Office, to obtain patents.

And four years to return their surveys, &c.

SEC. 2. *And be it further enacted*, That the provisions of the act entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants,"* passed the third day of March, one thousand eight hundred and seven, shall be revived, and in force, with all its restrictions, except that the respective times allowed for making locations, and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act, for the location and return of surveys or other warrants; and that the surveys shall be returned, to the General Land Office: *Provided*, That no locations, as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of lands for which patents had previously been issued, or which had been previously surveyed; and any patent which may nevertheless be obtained, for land located contrary to the provisions of this act, shall be considered null and void.

Provisions of the act of 3d March, 1807, revived, except, &c.

*Chapter 89.

Provide; no locations on tracts for which patents had been issued.

SEC. 3. *And be it further enacted*, That no holder of any warrant, which has been or may be located, shall be permitted to withdraw or remove the same, and locate it on any other land, except in cases of eviction, in consequence of a legal judgment first obtained, or unless it be found to interfere with a prior location and survey; nor shall any lands heretofore sold by the United States, within the boundaries of said reservation, be subject to location by the holder of any such unlocated warrant.

Holders of warrants located, not permitted to remove location, except, &c.

Lands sold, not subject to location.

Approved, March 1, 1823.

[See Part II, Nos. 2, 35, 37, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

CHAP. 284.—An act granting to the State of Alabama the right of pre-emption to certain quarter sections of land.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be granted to the State of Alabama, at the minimum price for which public lands of the United States are sold, the right of pre-emption to one quarter section of land, in or near the centre of each of the counties of Marengo, Perry, and Decatur, of the State aforesaid, in

Alabama allowed the right of pre-emption, at the minimum price, to a quarter section of land at or near the centre of each of the counties mentioned.

Provide: proceeds for erecting public buildings in the county, after, &c.

Provide: seat of justice on the lands located.

trust for said counties, respectively, for the establishment of seats of justice therein: *Provided*, That the proceeds of the sale of each of said quarter sections shall be appropriated for the purpose of erecting public buildings in the county for which it is located, after deducting therefrom the amount originally paid for the same: *And provided, further*, That the seat of justice for said counties, respectively, shall be fixed and continued on the lands so located and selected.

Approved, March 3, 1823.

[See Part II, No. 611.]

*Further extended. Chap. 309.

CHAP. 285.—An act extending the time for issuing and locating military land warrants to officers and soldiers of the revolutionary army.*

Time of issuing and locating military land warrants to revolutionary officers and soldiers, extended to the 4th of March, 1826.

†Chapter 286.

Time of location to 1st October, 1826.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time limited by the second section of the act, approved on the twenty-fourth day of February, one thousand eight hundred and nineteen,† for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended to the fourth day of March, one thousand eight hundred and twenty-five; and the time for locating the unlocated warrants shall be extended to the first day of October thereafter.

Approved, March 3, 1823.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 286.—An act to establish an additional land office in the Territory of Michigan.

The President to designate a place for an additional land office in the Territory of Michigan, for the sale of the lands designated.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the public lands in the district of Detroit, lying south of the boundary line between the third and fourth townships south of the base line, except so much thereof as lies north of the river Huron, of Lake Erie, and all the public lands in the Territory of Michigan to which the Indian title was extinguished by the treaty of Chicago, shall be formed into a new land district; and, for the sale of the public lands within the district hereby constituted, there shall be a land office established at such place within the district as the President of the United States may designate.

President to appoint a register and receiver.

SEC. 2. *And be it further enacted*, That there shall be a register of the land office and a receiver of public moneys appointed by the President of the United States, for the land office hereby created, to superintend the sales of public lands within said district, who shall give security in the same manner, in the same sums, and whose compensations, emolu-

ments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of public lands.

SEC. 3. *And be it further enacted*, That the provisions of the third and fifth sections of the act entitled "An act to designate the boundaries of districts, and establish land offices, for the disposal of the public lands not heretofore offered for sale, in the States of Ohio and Indiana,"* approved March the third, one thousand eight hundred and nineteen, be, and the same are hereby, made applicable to the district and office hereby created, so far as they are not changed by subsequent laws of the United States: *Provided*, That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder, at Detroit, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the register of the land office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sales of said lands would have been subjected to in the land office at Detroit, had they remained attached to that office.

Provisions of the 3d and 5th sections of the act of 3d of March, 1819, made applicable under this act, so far, &c.

*Chapter 233.

Proviso: lands offered at public sale, may be entered, &c. at private sale, &c.

SEC. 4. *And be it further enacted*, That this act shall take effect, and be in force, from and after the first day of May next ensuing the passage thereof.

Act to take effect 1st May next.

Approved, March 3, 1823.

[See Part II, No. 64.]

CHAP. 287.—An act further to extend the provisions of the act entitled "An act supplementary to an act entitled 'An act for the relief of the purchasers of the public lands prior to the first July, one thousand eight hundred and twenty.'"†

†Chapter 263.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all persons who shall produce satisfactory evidence, to the register and receiver of the proper land office, that they were actually entitled to, and would have availed themselves of, the provisions of the act entitled "An act supplementary to the act entitled 'An act for the relief of the purchasers of the public lands prior to the first day of July, one thousand eight hundred and twenty,'"‡ approved April twentieth, one thousand eight hundred and twenty-two, and their failure to do so was owing to such cause or circumstance as he could not control or prevent, shall be allowed until the thirtieth day of September next, to avail themselves of all the privileges, advantages, and provisions, of the said act, in

Act of 20th April, 1822, for relief of the purchasers of public lands, extended to 30th of September next.

‡Chapter 263.

the same manner they could have done prior to the thirtieth day of September last.

Approved, March 3, 1823.

[See Part II, Nos. 13, 110, 287, 289, 291, 292, 297, 298, 299, 300, 312, 313, 321, 324, 396, 486.]

*Chapter 233.

CHAP. 288.—An act supplementary to the act entitled “An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands not heretofore offered for sale, in the States of Ohio and Indiana.”*

Lands ceded by the Wea Indians to be attached to the Terre Haute district.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the lands ceded and relinquished to the United States, by the Wea tribe of Indians, under the first article of the treaty held at Vincennes, on the eleventh day of August, eighteen hundred and twenty, and which is specified and designated by the second article of the treaty between the United States and the said tribe, concluded at St. Mary's on the second day of October, eighteen hundred and eighteen, be, and the same is hereby, attached to the Terre Haute district, for the sale of public lands in the State of Indiana.

Lands to be sold at the land office of the Terre Haute district, on such day or days as shall be designated by the President.

SEC. 2. *And be it further enacted,* That all the public lands specified, designated, and embraced, within the first and second article of the treaties aforesaid, which have not been granted to, or secured for, the use of any individual or individuals, or appropriated and reserved for any other purpose, by any existing treaties or laws, and, with the exception of section numbered sixteen, in each township, which shall be reserved for the support of schools therein, shall be offered for sale to the highest bidder, at the land office in the Terre Haute district, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose. The lands shall be sold in tracts of the same size, on the same terms and conditions, and, in every respect, as provided by the act entitled “An act making further provision for the sale of the public lands,”† approved April twenty-fourth, eighteen hundred and twenty.

Section No. 16, for the use of schools, excepted.

†Chapter 240.

Register and receiver to receive 5 dollars a day for each day's attendance.

SEC. 3. *And be it further enacted,* That the register of the land office and the receiver of public moneys shall each receive five dollars for each day's attendance in superintending the public sales of the land before described, according to the President's proclamation.

Approved, March 3, 1823.

[See Part II, No. 64.]

CHAP. 289.—An act to establish an additional land office in the State of Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the public lands of the United States as lies west of the range line dividing the twenty-third and twenty-fourth tiers of townships west of the fifth principal meridian, in the present Howard land district, in the State of Missouri, shall form a land district for the disposal of the said lands, to be called the Western district; and a land office shall be established at Lexington, in the county of Lillard, for the disposal thereof.

A new land district to be formed, to be called the Western district, for which a land office is to be established.

At Lexington.

SEC. 2. *And be it further enacted,* That there shall be a register and receiver appointed to the said office, to superintend the sales of the public lands in the said district, who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands to be disposed of at their offices, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

A register and receiver to be appointed.

SEC. 3. *And be it further enacted,* That, from and after the first day of April next, the division line between the St. Louis and the Jackson land districts, in the State of Missouri, shall be the township line between the townships number thirty-seven and thirty-eight; any thing in the former acts, creating land districts in the State of Missouri, to the contrary notwithstanding.

After 1st of April, 1823, a new township line between the townships No. 37 and 38.

Approved, March 3, 1823.

[See Part II, No. 64.]

CHAP. 290.—An act to confirm certain claims to lots in the village of Peoria, in the State of Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby granted to each of the French and Canadian inhabitants and other settlers in the village of Peoria, in the State of Illinois, whose claims are contained in a report made by the register of the land office at Edwardsville, in pursuance of the act of Congress approved May the fifteenth, one thousand eight hundred and twenty, and who had settled a lot in the village aforesaid, prior to the first day of January, one thousand eight hundred and thirteen, and who have not heretofore received a confirmation of claims, or donation of any tract of land or village lot from the United States, the lot so settled upon and improved, where the same shall not exceed two acres; and where the same shall exceed two acres, every such claimant shall be

Claims to lots in the village of Peoria, contained in a report of 15th May, 1820, to persons who had settled prior to 1st January, 1813, &c.

Provido; not to affect the right of any other person.

confirmed in a quantity not exceeding ten acres: *Provided*, Nothing in this act contained shall be so construed as to affect the right, if any such there be, of any other person or persons to the said lots, or any part of them, derived from the United States, or any other source whatever, or as a pledge, on the part of the United [States,] to make good any deficiency occasioned by any other interfering claim or claims.

Surveyor general to cause the lots to be surveyed, &c.

SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor of the public lands of the United States for that district to cause a survey to be made of the several lots, and to designate on a plat thereof the lot confirmed and set apart to each claimant, and forward the same to the Secretary of the Treasury, who shall cause patents to be issued in favor of such claimants, as in other cases.

Plat to be forwarded, &c.

Patents to be issued.

Approved, March 3, 1823.

CHAP. 291.—An act concerning the lands to be granted to the State of Missouri, for the purposes of education, and other public uses.

Certain lands granted to the State of Missouri, for sch'ls, in lieu of section No. 16, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in all cases in which section number sixteen, in any township within the State of Missouri, has been sold, or otherwise disposed of, it shall be the duty of the register and receiver of the respective land office in whose district such land may lie, so soon after the passage of this act as may be, to select the like quantity of other lands equivalent thereto, from any of the unappropriated lands of the United States in that State, including the residue of such section, when only a part of it has been disposed of, and the value of the residue is not materially diminished by such disposition, and as nearly contiguous to such sixteenth section as may be; and a descriptive entry of such selected lands shall be made on the books of the register, specifying as well the township in which, as that for the use of which, the selection shall have been made; and the lands thus selected and located are hereby granted to the said State, for the use of the inhabitants of the respective townships, for the use of schools, instead of such sixteenth sections so sold or otherwise disposed of.

A descriptive entry of selected lands, &c.

Certain lands granted to salt springs, for the use of Missouri, where unappropriated lands cannot be found adjoining, &c.

SEC. 2. *And be it further enacted*, That in all cases in which the General Assembly of the State of Missouri has selected, or shall hereafter select, a salt spring, for the use of the State, according to the provisions of an act of Congress of the sixth of March, one thousand eight hundred and twenty,* and the six sections of unappropriated lands cannot be found adjoining to such spring, agreeably to the provisions of said act, the deficiency shall be supplied by the selection of other sections equivalent thereto, and not farther distant

*Chapter 237.

than six miles therefrom, of unappropriated lands of the United States in that State, and as nearly adjoining to such spring as may be, shall be subject to the selection of the Legislature of the State, for the use thereof; and such sections, when so selected and located, are hereby granted according to the provisions of said act: and authenticated copies of the selections, made by the register and receiver, under the provisions of this act, shall be furnished the State, and returns transmitted to the Secretary of the Treasury, of the selections now made, and of those to be made, immediately after such selections shall have been made, either by the register and receiver, or by the Legislature of the State.

Approved, March 3, 1823.

CHAP. 292.—An act to regulate the surveying of public and private lands in the southern part of Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the lands in the State of Alabama shall be attached to the district of the surveyor of the public lands in the State of Alabama, and the surveying of all public and private lands, in the said State, shall hereafter be made under his direction; and it shall be the duty of the deputy surveyor of the district east of the island of New Orleans, and east of Pearl river, to return the plats of all private claims within the State of Alabama, to the office of the said surveyor.

All lands to be attached to the district of the surveyor, and the deputy surveyor east of the island of New Orleans, &c. to return plats of all private claims to the office of the surveyor.

Approved, February 28, 1824.

[See Part II, Nos. 29, 825, 853, 862, 913, 921, 923, 952, 954.]

CHAP. 293.—An act to extend the time limited for the settlement of private land claims in the Territory of Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the time limited for the settlement of private land claims in the Territory of Florida, by an act of the seventeenth Congress, entitled "An act amending, and supplementary to, the act for ascertaining claims and titles to land in the Territory of Florida, and to provide for the survey and disposal of the public lands in Florida,"* be, and the same is hereby, extended and enlarged, until the first day of January next, when the commissioners for ascertaining claims and titles to the lands aforesaid shall make a return of their proceedings to the Secretary of the Treasury, to be laid before Congress.

The act amending, &c. the act for ascertaining the titles to land in Florida, to be extended to 1st Jan. 1825.

*Chapter 251.

Commissioners to make a return, &c.

SEC. 2. *And be it further enacted,* That the claimant or claimants shall not be required to produce, in evidence, a

The claimant or claimants not required to produce

In evidence a deraignment of title from the original grantee or patentee, &c.

*Chapter 274.

Deed or devise to claimant, with original title papers, &c.

Provido; claim to be defined, &c.

Provido; conditions, &c. to be complied with.

No person to be deemed an actual settler, within the provisions of the act of 3d March, 1823, unless he was an occupier or cultivator of the land at the period of the cession.

†Chapter 281.

So much of the act as authorizes ten cents per hundred words, repealed.

Secretaries of commissioners having received \$1,250, required to pay over such fees as have been demanded and rec'd by them.

So much of the acts of which this is amendatory, as makes void all claims not filed before the 1st of Dec. 1823, repealed.

‡Repealed. See section 3, act of 2d March, 1826, chap. 321, post.

deraignment of title from the original grantee or patentee, but the exhibition of the original title papers, agreeably to the fourth section of an act passed the eighth of May, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and title to lands within the Territory of Florida,"* with the deed or devise, to the claimant, and the office abstract or abstracts of the intermediate conveyances for the last ten years preceding the surrender of Florida to the United States; and, where they cannot be produced, their absence being satisfactorily accounted for, shall be sufficient evidence of the right of the claimant or claimants to the land so claimed as against the United States: *Provided*, The claim be defined in quantity, and the amount does not exceed the quantity limited in the second section of the act which this is intended to extend: *And provided*, The conditions required by the laws and ordinances of the Spanish Government, and the treaty between Spain and the United States, shall have been complied with.

SEC. 3. *And be it further enacted*, That no person shall be taken and deemed to be an actual settler, within the provisions of the "Act amending, and supplementary to, an act for ascertaining claims and titles to land in the Territory of Florida,"† passed on the third day of March, one thousand eight hundred and twenty-three, unless such person, or those under whom he claims title, shall have been in the cultivation or occupation of the land at and before the period of the cession.

SEC. 4. *And be it further enacted*, That so much of the act of which this is an amendment as authorizes the secretary of said commissioners to demand and receive from the claimants ten cents per hundred words for recording titles to land, be, and the same is hereby, repealed.

SEC. 5. *And be it further enacted*, That the former secretaries, or those who may now be secretaries, to the said boards of commissioners, who shall have received their salary of one thousand two hundred and fifty dollars, from the Treasury of the United States, which is, by law, declared to be their full compensation, shall be, and they are hereby, required to pay over, respectively, to the commissioners, conformable with the provisions of the original law, all such fees as have been demanded, and received by them, which shall be appropriated to defray the expenses of the commission.

SEC. 6. *And be it further enacted*, That so much of the acts of which this is amendatory as makes void all claims not filed before the first day of December, one thousand eight hundred and twenty-three, be, and the same is hereby, repealed; and it shall be lawful for claims to be filed any time previous to the first day of September next; but all and every claim not filed by that time shall be held and deemed void and of none effect.‡

SEC. 7. *And be it further enacted*, That each of the commissioners heretofore appointed, or who may hereafter be ap-

pointed, who has performed, and shall hereafter perform, the duties assigned him, shall receive, from the first Monday in February until the first day of January next, at the rate of two thousand dollars per annum, in full compensation for his services.

Each commissioner to receive \$2,000 per annum.

Approved, February 28, 1824.

[See Part II, No. 19.]

CHAP. 294.—An act to define the boundary line between the Edwardsville and Springfield land districts, in the State of Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that tract of country lying between the Illinois and Mississippi rivers, and south of the base line of the military surveys, be, and the same is hereby, attached to and made a part of the land district, the office of which is located at Edwardsville; and all the tract of country lying between the said rivers, and north of the said base line, be, and the same is hereby, attached to and made a part of the land district, the office of which is established at Springfield, in the county of Sangamo.

The country lying between the Illinois and Mississippi rivers, and south of the base line of the military surveys, to be attached to, &c. the land district of Edwardsville, &c.

Approved, March 16, 1824.

[See Part II, No. 64.]

CHAP. 295.—An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands.*

*See explanatory act, chap. 306, post; also chap. 330.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where the purchaser or legal holder of any certificate of purchase of any of the public lands of the United States may have obtained a certificate of further credit under the provisions of an act passed the second day of March, one thousand eight hundred and twenty-one, entitled "An act for the relief of the purchasers of public lands prior to the first day of July, one thousand eight hundred and twenty,"† or of the acts supplementary thereto of the twentieth of April, one thousand eight hundred and twenty-two,‡ and of the third of March, one thousand eight hundred and twenty-three,§ the person obtaining such certificate, or the legal holder thereof, shall be allowed, at any time prior to the tenth of April, one thousand eight hundred and twenty-five, to file with the register of the land office in the district where such land is situated, a relinquishment, in writing, of any section, half section, quarter section, or legal subdivision of a fractional section, made according to the provisions of the existing laws in relation to the survey and sale of the public lands; and any

Where the purchaser or holder of any of the public lands has obtained a certificate of further credit, under the act of March 2, 1821, he shall be allowed to file it with the register of the land office where such land is situated.

†Chapter 253.

‡Chapter 263.

§Chapter 287.

payment made on any tract of land so relinquished shall be applied to the payment of the amount due on any tract retained by said purchaser, or legal holder of a certificate of purchase; which relinquishment shall be allowed only on condition that any such purchaser, or legal holder of a certificate of purchase, relinquish a sufficient quantity of land thereby to complete his or her payments due to the United States on any lands retained, or pay the balance due, and which may afterwards become due, in money, before or at the time of such relinquishment; and on the payment of such balance in money, there shall be allowed, on the amount so paid, a deduction at the rate of thirty-seven and a half per centum: *Provided*, That nothing herein contained shall entitle the person making such relinquishment to claim any repayment from the United States on account of any lands so relinquished: *And provided, further*, That nothing herein contained shall authorize any discounts upon payments made by relinquishment.

Proviso; no repayment for lands relinquished.

Proviso; no discounts on paym'ts.

A deduction at the rate of 37½ per centum, to be made on complete paym'ts.

SEC. 2. *And be it further enacted*, That all purchasers or legal holders of any certificate of purchase of any of the public lands of the United States, who may have obtained a certificate of further credit under the provisions of the several acts above mentioned, on making complete payment previous to the tenth of April, eighteen hundred and twenty-five, of every instalment then due, and which shall afterwards become payable, shall be allowed upon the amount so paid a deduction at the rate of thirty-seven and a half per centum.

Duty of the registers and receivers.

SEC. 3. *And be it further enacted*, That it shall be the duty of the registers and receivers of the land offices of the United States, immediately after the tenth of April, eighteen hundred and twenty-five, to return complete lists of the lands relinquished to the United States within their districts; and such lands shall be exposed to sale, as other public lands of the United States.

Fees to be allowed to registers and receivers.

SEC. 4. *And be it further enacted*, That the register and receiver of any land office shall be allowed double the fees given them by the act of the second of March, one thousand eight hundred and twenty-one, for like services; to be paid by the person or persons availing themselves of the provisions of this act.

The provisions of this act to extend to town lots, &c.

SEC. 5. *And be it further enacted*, That the provisions of this act be extended to town lots and out-lots reserved for that purpose, and sold by the United States on a credit.

Approved, May 18, 1824.

[See Part II, Nos. 13, 26, 27, 110, 301, 306, 307, 308, 310, 312, 313, 321, 324, 341, 396.]

CHAP. 296.—An act providing for a grant of land for the seat of Government in the Territory of Florida, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be, and hereby is, granted to the Territory of Florida one entire quarter section of land, or fractional section, not exceeding in quantity one quarter section, for the seat of Government in that Territory, to be located previously to the sale of the adjacent lands, under the authority of the Governor thereof, at the point selected for the permanent seat of Government for said Territory.

Quarter section or fractional section of land granted to the Territory of Florida, for the seat of Government.

SEC. 2. *And be it further enacted*, That the Governor and Legislative Council of the Territory aforesaid, or a majority thereof, be, and they are hereby, authorized to adopt such measures as to them may seem expedient for the sale of said tract of land, or any part thereof, for the purpose of raising a fund for the erection of public buildings at said seat of Government.

The Governor, &c. to adopt such measures for the sale of the land as they may deem expedient, as a fund, &c.

SEC. 3. *And be it further enacted*, That there shall be, and hereby are, reserved from sale three entire quarter sections of lands of the United States, lying contiguous to and adjoining the quarter section granted by the first section of this act, to be located by the Governor of said Territory.

Three entire quarter sections to be reserved and located by the Governor.

SEC. 4. *And be it further enacted*, That so much of the seventh section of the act of Congress of the third of March, one thousand eight hundred and twenty-three, entitled "An act amending and supplementary to the act entitled 'An act to provide for the survey and disposal of the public lands in Florida,'" as prevents the appointment of a surveyor for Florida until the commissioners shall have decided and reported on the private claims in said Territory, be, and the same is hereby, repealed; and the eastern and western land districts in said Territory shall be divided and separated by the Suwaney river, and not by the ancient line of division between the provinces of East and West Florida, as prescribed by the eighth section of the act aforesaid.

So much of the act of 3d March, 1823, as prevents the appointment of a surveyor for Florida, until, &c., repealed.

Eastern and western land districts to be divided.

Approved, May 24, 1824.

[See Part II, Nos. 611, 823, 830, 833, 850, 857, 864, 870, 872, 875, 878, 888, 891, 895, 896, 897, 934, 950, 957, 959.]

CHAP. 297.—An act supplementary to an act approved on the third day of March, one thousand eight hundred and nineteen, entitled "An act providing for the correction of errors in making entries of land at the land offices."*

*Chapter 235.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That where any mistake, in relation to the correct numbers of any tract of land, not exceeding in quantity one half section, may have been heretofore made by any pur-

Any mistake which has been made by the person making the entry, in relation to the correct

numbers of any tract of land not exceeding one half section, on satisfactory evidence being produced to the Commissioner of the General Land Office, he shall cause the entry to be changed, &c., where, &c.

*Chapter 253.

chaser of the public lands of the United States at private sale, and where one or more payments shall have been made by the person making the entry on any tract entered by mistake, and where such payment has not been forfeited, previously to the passing of this act, for a failure to complete the payments on such tract; and where the purchaser or purchasers may not, in relation to said tract, have in any way taken advantage of the provisions of the act of the second of March, eighteen hundred and twenty-one, entitled "An act for the relief of the purchasers of the public lands prior to the first day of July, eighteen hundred and twenty,"* or of the act supplementary thereto, or of the act continuing in force said supplementary act, and where the person or persons making the purchase has not, in any way, transferred his, her, or their right to the certificate of purchase, or the tract so purchased, and where no patent shall have issued for the tract so erroneously purchased; and, also, in all cases of an entry hereafter made of a tract of land not intended to be entered, by a mistake of the true numbers of the tract intended to be entered, where the tract thus erroneously entered does not in quantity exceed one half section; and where the certificate of the original purchaser or purchasers has not been assigned, or the right of the original purchaser or purchasers in any way transferred, and where six months from the time the entry shall have been made may not have elapsed, or the patent issued for the tract erroneously entered, the purchaser or purchasers, or, in case of his, her, or their death, the legal representatives (not being assignees or transferees) may, either in the cases of entry before or after the passing of this act, and in any case coming within its provisions, file his, her, or their own affidavit or affidavits, with such additional evidence as can be procured, showing the mistake of the numbers of the tract intended to be entered, and that every reasonable precaution and exertion had been used to avoid the error, with the register and receiver of the land district within which such tract of land is situated, who shall transmit the evidence submitted to them in each case, together with their written opinion or opinions, both as to [the] existence of the mistake and the credibility of each person testifying thereto, to the Commissioner of the General Land Office, who, if he be entirely satisfied [that] the mistake has been made, and that every reasonable precaution and exertion had been made to avoid it, shall be authorized to change the entry and transfer the payment from the tract erroneously entered to that intended to be entered, if unsold; but if sold, to any other tract liable to entry: *Provided*, That the oath of the person or persons interested shall in no case be deemed sufficient, in the absence of other corroborating testimony, to authorize any such change of entry: *And provided, also*, That nothing herein contained shall affect the right of third persons.

Provide; oath of persons interested, not sufficient, &c.

Reserve; right of third persons not affected.

SEC. 2. *And be it further enacted*, That either the regis-

ter or receiver may administer all oaths to be made under the provisions of this act, and every person, knowingly, wilfully, and corruptly, swearing falsely, on any oath administered to him or her under the provisions of this act, shall, on indictment and conviction for such offence before any court having competent jurisdiction to try the same, suffer the pains and penalties of wilful and corrupt perjury.

Oaths under this act may be administered by the register or receiver.
False swearing punished as perjury.

SEC. 3. *And be it further enacted*, That for every oath administered under the provisions of this act, the register and receiver shall be allowed the sum of twenty-five cents, and twenty-five cents for every hundred words of the evidence received and transmitted to the Commissioner of the General Land Office; to be paid by the party making the application for a change of entry.

The register and receiver to receive 25 cents for every oath, and 25 cents for every hundred words of the evidence transmitted to the Land Office.

Approved, May 24, 1824.

[See Part II, Nos. 40, 302, 324, 334, 368, 416, 420, 423, 455.]

CHAP. 298.—An act changing the mode of surveying the public lands on any river, lake, bayou, or watercourse.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever, in the opinion of the President of the United States, a departure from the ordinary mode of surveying land on any river, lake, bayou, or watercourse, would promote the public interest, he may direct the surveyor general in whose district such land is situated, and where the change is intended to be made, under such rules and regulations as the President may prescribe, to cause the lands thus situated to be surveyed in tracts of two acres in width, fronting on any river, bayou, lake, or watercourse, and running back the depth of forty acres; which tracts of land, so surveyed, shall be offered for sale entire, instead of in half-quarter sections, and in the usual manner, and on the same terms, in all respects, as the other public lands of the United States.

Whenever the President thinks a departure from the ordinary mode would promote the public interest, he may cause lands to be surveyed in tracts of two acres in width, on any river, bayou, &c.

The tracts to be offered for sale entire.

Approved, May 24, 1824.

[See Part II, Nos. 395, 521, 822, 826, 827, 829, 831, 839, 840, 904, 905, 912, 970.]

CHAP. 299.—An act for the relief of the representatives of John Donnelson, Stephen Heard, and others.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the heirs and representatives of John Donnelson, Stephen Heard, William Downs, Joseph Martin, John Sevier, and Thomas Carr, or their heirs and representatives, respectively, be, and they are hereby, authorized

The heirs of John Donnelson and others, to enter five thousand acres of land in any land office in Mississippi or Alabama: the amount of a grant from Georgia, in 1799.

and empowered, severally, to enter, under the direction of the Secretary of the Treasury, five thousand acres of land, at any time within two years from the passing of this act, in any land office in either of the States of Mississippi or Alabama; being the amount of a grant made to them by a resolution of the Legislature of the State of Georgia, in the year one thousand seven hundred and eighty-six: *Provided*, That the said claim shall be satisfied out of the five millions of acres of land set apart by the act of Congress of the third of March, one thousand eight hundred and three, pursuant to the articles of agreement and cession between the State of Georgia and the United States,* entered into on the twenty-fourth day of April, one thousand eight hundred and two: *Provided, also*, That the acceptance of the grant hereby made shall be a discharge of all further claims against the United States by the persons herein named, or their heirs or legal representatives, under the said resolution of the Legislature of the State of Georgia.

Proviso; the claim to be satisfied out of the 5,000,000 of acres set apart, &c.

*Appendix No 3.

Proviso; acceptance of the grant a discharge of further claims.

No entry, except, &c. and none for less than a quarter section.

Proviso; not to prevent the entry of a fraction.

SEC. 2. *And be it further enacted*, That said claims shall not be located or entered on any lands, except those which may have been, previously to the making of said entry, offered at public sale, nor upon any lands forfeited or relinquished to the United States; nor shall any entry be made for a less quantity than a quarter section: *Provided*, Nothing herein contained shall prevent the entry of any fraction.

Approved, May 24, 1824.

CHAP. 300.—An act concerning pre-emption rights in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person, and the legal representative of every person, who was entitled to the right of pre-emption in the Territory of Arkansas, under the provisions of the act of Congress of the twelfth of April, one thousand eight hundred and fourteen, entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri," in that tract of country north of the river Arkansas ceded by the United States to the Cherokee nation of Indians on the eighth day of July, one thousand eight hundred and seventeen, be, and they are hereby, authorized, in lieu thereof, and in full compensation for such right of pre-emption, to enter with the register of the land office in the district of Lawrence, in said Territory, any tract within said district on which they may have made improvements previously to the passing of this act, on any unimproved tract within said district, the sale of which is authorized by law: *Provided*, That no more than one quarter

Any person, or his legal representative, who was entitled to the right of pre-emption in the Territory of Arkansas, under the act of the 12th of April, 1814, authorized to enter with the register of the land office in Lawrence district, any tract therein.

section of land shall be sold to any one individual in virtue of this act : and the same shall be bounded by the sectional and divisional lines run, or to be run, under the direction of the surveyor of the United States lands for the States of Missouri and Illinois and Territory of Arkansas.

Proviso; not more than a quarter section to an individual.

SEC. 2. *And be it further enacted,* That every person claiming a preference in becoming the purchaser of a tract of land in virtue of this act shall deliver a notice, in writing, to the register of the land office for said district, stating therein that he was entitled to a pre-emption right, under the aforesaid act of Congress, in that part of the Territory of Arkansas ceded as aforesaid, and also particularly designating therein the quarter section he is desirous to enter, which notice the register shall file in his office ; and in every case where it shall be proved, to the satisfaction of the register and receiver of public moneys of the land office aforesaid, that any person who has delivered such notice was entitled to a pre-emption right, under said act of Congress, in that part of the Territory of Arkansas ceded as aforesaid, shall have a right to enter with the register of said land office, at the minimum price for which United States lands are sold, the tract of land designated in said notice, on producing his receipt from the receiver of public moneys for the purchase-money of said tract, as in case of other public lands sold at private sale ; and as a compensation for their services, the register and receiver shall each be entitled to one dollar in every such case, to be paid by the claimant of such pre-emption right : *Provided,* That every such entry and payment shall be made at least two weeks previous to the time of offering the adjacent lands at public sale, unless the same be entered in such part of said district as shall have been offered at public sale at the time of the passage of this act ; in which case, such entry shall be made within two years from the passage thereof.

Every person claiming a preference in becoming a purchaser of a tract of land, in virtue of this act, to deliver a notice, in writing, to the register of the land office for said district.

The register to file such notice.

Right to pre-emption at the minimum price.

Compensation to register and receiver.

Proviso; as to time of entry and payment.

Approved, May 26, 1824.

[See Part II, Nos. 15, 25, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 600.]

CHAP. 301.—An act granting donations of land to certain actual settlers in the Territory of Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the commissioners for ascertaining titles and claims to lands in Florida be, and they are hereby, authorized and required, within their respective districts, and in addition to their former duties, to receive and examine all claims that may be presented to them, and the evidence in support of each of such claims, founded on habitation and cultivation of any tract of land, town or city lot, or out-lot, by any person, being the head of a family and twenty-one

The commissioners for ascertaining titles to lands in Florida, authorized and required to receive and examine all claims presented to them within their respective districts by heads of families, &c. who, on the 22d Feb. 1829, inhabited and cultivated, &c.

Certificates of confirmation.

Land to be located in an entire body, &c. and not to exceed 640 acres.

Commissioners to receive claims founded on habitation and cultivation between 22d February, 1819, and 17th July, 1821, &c. and report, &c. to be laid before Congress.

Providor, no claim to be received, &c. in favor of claims in virtue of written evidence from the British or Spanish Government.

years of age, who, on the twenty-second day of February, one thousand eight hundred and nineteen, actually inhabited and cultivated such tract of land, or actually cultivated and improved such lot, or who on that day cultivated any tract of land in the vicinity of any town or city, having a permanent residence in such town or city in said Territory; and to grant certificates of confirmation for any tract of land thus inhabited and cultivated, or cultivated by any person of the above description, residing in any town or city in the vicinity of the tract so cultivated; which land shall be located in an entire body, as nearly as possible in conformity to the surveys of the contiguous public lands, and so as to embrace the principal improvements then made on any tract so claimed, and shall not exceed in quantity six hundred and forty acres: and it shall also be the duty of said commissioners to receive claims to land founded on habitation and cultivation, commenced between the twenty-second of February, one thousand eight hundred and nineteen, and the seventeenth of July, one thousand eight hundred and twenty-one, when Florida was surrendered to the United States, and evidence in support of the same; and to report an abstract of all such claims to Congress, and of the claims by them confirmed, to the Secretary of the Treasury; and the claims merely reported on shall be laid before Congress at their next session, with the evidence of the time, nature, and extent, of such inhabitation and cultivation, in each case, and the extent of the claim: *Provided*, That no claim shall be received, confirmed, or reported to Congress, by the said commissioners, for confirmation, in favor of any person, or the legal representatives of any person, who claims any tract of land in said Territory by virtue of any written evidence of title derived from either the British or Spanish Government.

Approved, May 26, 1824.

CHAP. 302.—An act to authorize the State of Indiana to open a canal through the public lands, to connect the navigation of the rivers Wabash and the Miami of Lake Erie.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Indiana be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of a canal, by which to connect the navigation of the rivers Wabash and Miami of Lake Erie; and ninety feet of land on each side of said canal shall be reserved from sale on the part of the United States, and the use thereof forever be vested in the State aforesaid, for a canal, and for no other purpose whatever.

A route for a canal to be surveyed and marked, through the public lands, by which the navigation of the Wabash and Miami of Lake Erie may be connected.

Ninety feet, on each side, vested for the canal.

The reservation and grant to be void, if the canal be not completed in 12 months.

SEC. 2. *And be it further enacted*, That if the said State shall not survey and direct by law said canal to be opened, and furnish the Commissioner of the General Land Office

a map thereof, within three years from and after the date of this act, or if the said canal be not completed suitable for navigation within twelve years thereafter, or if said land, hereby granted, shall ever cease to be used and occupied for the purpose of constructing and keeping in repair a canal suitable for navigation, the reservation and grant aforesaid shall be void and of none effect: *Provided*, That nothing in this act contained, or [that] shall be done in pursuance thereof, shall be deemed to imply any obligation on the part of the United States to appropriate money to defray the expense of surveying or opening said canal: *And provided, likewise*, That the said canal, when completed, shall be, and forever remain, a public highway, for the use of the Government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service, on public business, passing through the same.

proviso; no obligation on the United States to appropriate money.

proviso; the canal to be a highway for the Government of the United States forever.

SEC. 3. *And be it further enacted*, That every section of land through which said canal route may pass shall be, and the same is hereby, reserved from future sale, under the direction of the Commissioner of the General Land Office, until hereafter specially directed by law; and the said State is hereby authorized, without waste, to use any materials on the public lands adjacent to said canal that may be necessary for its construction.

Each sect'n of land through which the canal may pass, to be reserved from future sale.

Approved, May 26, 1824.

CHAP. 303.—An act granting to the counties or parishes of each State and Territory of the United States, in which the public lands are situated, the right of pre-emption to quarter sections of land, for seats of justice within the same.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be granted to the several counties or parishes of each State and Territory of the United States where there are public lands, at the minimum price for which public lands of the United States are sold, the right of pre-emption to one quarter section of land, in each of the counties or parishes of said States and Territories, in trust for said counties or parishes, respectively, for the establishment of seats of justice therein: *Provided*, The proceeds of the sale of each of said quarter sections shall be appropriated for the purpose of erecting public buildings in the county or parish for which it is located, after deducting therefrom the amount originally paid for the same: *And provided, further*, That the seat of justice for said counties or parishes, respectively, shall be fixed previously to a sale of the adjoining lands within the county or parish for which the same is located.

The right of pre-emption to 1 quarter section of land granted to the several counties of each State and Territory of the U. States where there are public lands, for seats of justice.

proviso; erection of public buildings in the county, &c. with the proceeds.

proviso; seat of justice to be fixed, &c.

SEC. 2. *And be it further enacted*, That so much of such acts, heretofore passed, granting to States rights of pre-emption for county or parish purposes, as require said seats of

So much of acts as require seats of justice at or near the centre of counties, &c. repealed.

justice to be continued at or near the centre of each of said counties or parishes, be, and the same is hereby, repealed.

Approved, May 26, 1824.

[See Part II, Nos. 303, 430, 611.]

CHAP. 304.—An act to establish an additional land office in the State of Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the public lands of the United States included in the present district of St. Louis, in the State of Missouri, as lies within the following boundaries, to wit: Beginning on the Mississippi river, between townships numbered forty-eight and forty-nine; thence, west, to the range line between ranges ten and eleven; thence, north, to the township line between townships numbered fifty-two and fifty-three; thence, west, to the range line between ranges thirteen and fourteen; thence, north, to the northern boundary line of the State of Missouri; thence, east, with the State line, to the river Des Moines; thence, with the river Des Moines and the State line, to the Mississippi river; thence, with and down the Mississippi river, to the place of beginning, so as to include all the islands within the limits of the State of Missouri, shall be formed into a new land district, to be called "the District of Salt River;" and for the sale of the public lands within the district hereby constituted, there shall be a land office established at such place within the said district as the President of the United States may designate.

Public lands to be formed into a new land district.

Boundaries of the district.

Land office as the President may direct.

A register and receiver to be appointed, &c.

SEC. 2. *And be it further enacted,* That there shall be a register and receiver appointed to said office, to superintend the sales of public lands in the said district, and who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands to be disposed of at their offices, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

All lands embraced within the district which have been offered for sale pursuant to any proclamation of the President, and now remain unsold, liable to be disposed of at private sale.

SEC. 3. *And be it further enacted,* That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder at St. Louis, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officer or officers of the land office hereby created, in the same manner, and subject to the same terms, and upon the like conditions, as the sales of said lands

would have been subjected to in the land office at St. Louis, had they remained attached to that office.

Approved, May 26, 1824.

[See Part II, No. 64.]

CHAP. 305.—An act enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims.*

*See chap. 243.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall and may be lawful for any person or persons, or their legal representatives, claiming lands, tenements, or hereditaments, in that part of the late province of Louisiana which is now included within the State of Missouri, by virtue of any French or Spanish grant, concession, warrant, or order of survey, legally made, granted, or issued, before the tenth day of March, one thousand eight hundred and four, by the proper authorities, to any person or persons resident in the province of Louisiana at the date thereof, or on or before the tenth day of March, one thousand eight hundred and four, and which was protected or secured by the treaty between the United States of America and the French Republic, of the thirtieth day of April, one thousand eight hundred and three, and which might have been perfected into a complete title, under and in conformity to the laws, usages, and customs, of the Government under which the same originated, had not the sovereignty of the country been transferred to the United States; in each and every such case it shall and may be lawful for such person or persons, or their legal representatives, to present a petition to the district court of the State of Missouri, setting forth fully, plainly, and substantially, the nature of his, her, or their claim to the lands, tenements, or hereditaments, and particularly stating the date of the grant, concession, warrant, or order of survey, under which they claim, the name or names of any person or persons claiming the same, or any part thereof, by a different title from that of the petitioner, or holding possession of any part thereof otherwise than by the lease or permission of the petitioner; and, also, if the United States be interested on account of the lands within the limits of such claim not claimed by any other person than the petitioner; also, the quantity claimed, and the boundaries thereof, when the same may have been designated by boundaries, by whom issued, and whether the said claim has been submitted to the examination of either of the tribunals which have been constituted by law for the adjustment of land titles in the present limits of the State of Missouri, and by them reported on unfavorably, or recommended for confirmation; praying, in said petition, that the validity of such title or claim may be inquired into and decided by the said court:

Persons claiming lands, in that part of the late province of Louisiana now included within the State of Missouri, by virtue of any French or Spanish grant, &c. legally made, and before the 10th of March, 1804, to present petitions to the district court of the State of Missouri.

and the said court is hereby authorized and required to hold and exercise jurisdiction of every petition presented in conformity with the provisions of this act, and to hear and determine the same, on the petition, in case no answer or answers be filed after due notice ; or on the petition, and the answer or answers of any person or persons interested in preventing any claim from being established ; and the answer of the district attorney of the United States, where he may have filed an answer, according to the evidence which shall be adduced by the petitioner, by any person interested in preventing the decree of the court in favor of the title of the petitioner or petitioners, and by the United States, and in conformity with the principles of justice, and according to the laws and ordinances of the Government under which the claim originated ; and the copy of such petition, with a citation to any adverse possessor or claimant, shall be served on such possessor or claimant in the ordinary legal manner of serving such process in the State of Missouri, at least fifteen days before the term of the district court of the United States to which the same is made returnable, and, in like manner, on the district attorney of the United States, where the Government is interested in the defence ; and it shall be the duty of the United States attorney for the district in which the suit shall be instituted, in all cases where the United States are interested on account of the public domain, to take notice of each petition filed under the provisions of this act, in the said district, and to make defence, on all just and proper occasions, in behalf of the public interest.

Copy of petition to be served on claimant or possessor, or district attorney, fifteen days before the term, &c.

District attorney to take notice, &c.

Every petition presented under this act, to be conducted according to the rules of a court of equity.

Power of the court.

SEC. 2. *And be it further enacted*, That every petition which shall be presented under the provisions of this act shall be conducted according to the rules of a court of equity, except that the answer of the district attorney of the United States shall not be required to be verified by his oath, and tried, without any continuance, unless for cause shown ; and the said court shall have full power and authority to hear and determine all questions arising in said cause relative to the title of the claimants, the extent, locality, and boundaries, of the said claim, or other matters connected therewith, fit and proper to be heard and determined ; and, by a final decree, to settle and determine the question of the validity of the title according to the law of nations, the stipulations of any treaty and proceedings under the same, the several acts of Congress in relation thereto, and the laws and ordinances of the Government from which it is alleged to have been derived, and all other questions properly arising between the claimants and the United States ; which decree shall in all cases refer to the treaty, law, [or] ordinance, under which it is confirmed or decreed against ; and the court may, at its discretion, order disputed facts to be found by a jury, according to the regulations and practice of the said court when directing issues in chancery before the same

court ; and, in all cases, the party against whom the judgment or decree of the said district court may be finally given shall be entitled to an appeal, within one year from the time of its rendition, to the Supreme Court of the United States, the decision of which court shall be final and conclusive between the parties ; and should no appeal be taken, the judgment or decree of the said district court shall, in like manner, be final and conclusive.

Right of appeal.

SEC. 3. *And be it further enacted*, That the evidence which has been received by the different tribunals which have been constituted and appointed by law to receive such evidence, and to report the same to the Secretary of [the] Treasury, or to the Commissioner of the General Land Office, upon all claims presented to them, respectively, shall be received and admitted in evidence for or against the United States, in all trials under this act, when the person testifying is dead, or beyond the reach of the court's process, together with such other testimony as it may be in the power of the petitioner, the person or persons interested in the defence made against establishing any claim, or the United States attorney, to produce, and which shall be admissible according to the rules of evidence and the principles of law.

The evidence received by the different tribunals shall be admitted as such for or against the United States, in all trials under this act, when the person testifying is dead, &c.

SEC. 4. *And be it further enacted*, That in all cases in which evidence shall be offered by the petitioner which has not been received by either of the tribunals constituted by law for that purpose, it shall be the duty of the attorney of the United States for the district in which the suit shall be instituted, or any person interested in the defence may examine, or cause to be examined, the witnesses, whether examined in court, or by commission under the authority thereof ; and it shall be the duty of the Commissioner of the General Land Office of the United States, or the keeper of any public records, who may have possession of the records and evidence of the different tribunals which have been constituted by law for the adjustment of land titles in Missouri, as held by France, upon the application of any person or persons whose claim to lands has been rejected by such tribunals, or either of them, or on the application of any person interested, or by the attorney of the United States for the district of Missouri, to furnish copies of such evidence, certified under his official signature, with the seal of office thereto annexed, if there be a seal of office.

Examination of witnesses in all cases in which evidence shall be offered, not received by either of the tribunals constituted for that purpose.

Commissioner of General Land Office, &c. to furnish copies of evidence, on application, &c.

SEC. 5. *And be it further enacted*, That any claim to lands, tenements, or hereditaments, within the purview of this act, which shall not be brought by petition before the said courts within two years from the passing of this act, or which, after being brought before the said courts, shall, on account of the neglect or delay of the claimant, not be prosecuted to a final decision within three years, shall be forever barred, both at law and [in] equity, and no other action at common

Any claim to lands, &c. under this act, which shall not be brought by petition before the said courts, &c. within two years, forever barred.

law, or proceeding in equity, shall ever thereafter be sustained, in any court whatever, in relation to said claims.

Upon the final decision of any claim prosecuted under this act, in favor of the claimant, such claimant is authorized to demand and receive of the clerk of the court a copy of the decree in his favor, &c.

Land to be surveyed, &c.

SEC. 6. *And be it further enacted*, That upon the final decision of any claim prosecuted under this act in favor of the claimant or claimants, it shall and may be lawful for such claimant to demand and receive, from the clerk of the court in which such final decision is had, a copy of the decree in his, her, or their favor, under the official signature of the clerk and the seal of the court, if any seal belong to it, and deliver the same to the surveyor of public lands for the State of Missouri, who shall thereupon cause the land specified in said decree to be surveyed, at the expense of the party, and duplicate plats and certificates of the survey so made to be returned into his office, one of which shall remain in said office, and the other, authenticated by the attestation and official signature of the surveyor of public lands, shall be delivered, on demand, to the party interested therein, and the same being presented to the Commissioner of the General Land Office, in Washington city, shall entitle the party interested to a patent from the President of the United States.

When any claim has been decided against the claimant, or barred, the land shall belong to the U. States.

SEC. 7. *And be it further enacted*, That in each and every case in which any claim, tried under the provisions of this act, shall be finally decided against the claimant, and in each and every case in which any claim cognizable under the terms of this act shall be barred by virtue of any of the provisions contained therein, the land specified in such claim shall forthwith be held and taken as a part of the public lands of the United States, subject to the same disposition as any other public land in the same district.

The clerk of the court shall, when any petition of claim is filed, under this act, require good and sufficient security for costs and charges.

Fees allowed.

SEC. 8. *And be it further enacted*, That the clerk of said court shall, and he is hereby directed, when any petition of claim is filed, under the provisions of this act, before any proceedings thereon, to require good and sufficient security for all cost and charges which may accrue thereon in prosecuting the same to a final decree; and the district attorney, clerk, marshal, attending witnesses, and jurors, shall severally be allowed such fees for their services and attendance as may be allowed by law for the like services and attendance in the district court of the State of Missouri, to be paid by the party calling for such service or attendance, except where the petitioner or petitioners fail to prosecute his, her, or their suit or claim to a final decree, or to obtain a final decree in his, her, or their favor, or where any such title or claim may have been presented to the commissioner, or the register and receiver, acting as commissioners, for the examination of titles and claims to land in said district, and by them has been reported unfavorably on, in all of which cases, all cost, charges, and expenses, of such prosecutions, shall be paid by the petitioner or petitioners; that the clerk of the court in which the final decree shall be had shall be allowed one dollar and fifty cents for the official copy of such final de-

cree; that the surveyor of public lands shall be allowed one dollar for each of the official certificates required of him; and the keeper of the records and evidence taken under former acts of Congress for the adjustment of land titles shall be allowed at the rate of ten cents for every hundred words contained in any such written evidence of their claim, to be paid by the party applying therefor.

SEC. 9. *And be it further enacted*, That it shall be the duty of the attorney of the United States for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, and the claim exceeds one thousand acres, to make out and transmit to the Attorney General of the United States a statement containing the facts of the case and the points of law on which the same was decided; and if the Attorney General shall be of opinion that the decision of the district court was erroneous, it shall be his duty to direct an appeal to be made to the Supreme Court of the United States, and to appear for and prosecute the said appeal in that court; and it shall be the further duty of the district attorney to observe the instruction given to him by the Attorney General in that respect. (1)

Right of appeal, where the claim exc'ds 1,000 acres.

SEC. 10. *And be it further enacted*, That it shall be the duty of the marshal of the State of Missouri, by himself or deputy, to attend the said court while in session, and to execute all process to him directed by the court, under this act.

The marshal to attend the said court while in session.

SEC. 11. *And be it further enacted*, That if in any case it should so happen that the lands, tenements, or hereditaments, decreed to any claimant under the provisions of this act, shall have been sold by the United States, or otherwise disposed of, or if the same shall not have been heretofore located in each and every such case, it shall and may be lawful for the party interested to enter, after the same shall have been offered at public sale, the like quantity of lands, in parcels, conformable to sectional divisions and subdivisions, in any land office in the State of Missouri; and if it should so happen that, in making such entries, there should remain in the hands of the enterer a fractional excess of acres, of less number than the smallest sectional divisions authorized by law to be sold, it shall and may be lawful for the party interested to enter, in virtue of such fractional excess, the quantity of one half-quarter section, upon paying one dollar and twenty-five cents for each acre contained in such half-quarter section, over and above the fractional excess to which he may be entitled by such confirmation. (2)

The party interested, where the lands, &c. decreed to any claimant under this act shall have been sold by the United States, or have been heretofore located, to enter a like quantity in any land office in Missouri.

SEC. 12. *And be it further enacted*, That for the purpose of carrying into effect the provisions of this act, the judge of the district court for the State of Missouri shall hold his sessions at the following places, viz: at the town of St.

To carry this act into effect, the judge of the Missouri district shall hold his sessions at the town of St. Louis.

(1) See Part II, No. 31.

(2) See Part II, No. 30.

Louis, in the county of St. Louis, on the third Monday of September next; at the town of St. Genevieve, in the county of St. Genevieve, on the third Monday of December next; and at the town of Jackson, in the county of Cape Girardeau, on the third Monday of April next: he shall appoint his own clerks; and, after the first and each of the said sessions, he shall thereafter sit, upon his own adjournments, at the places aforesaid, until all the business before him shall be completed, or the time limited by this act shall have expired, of which said adjournments, and the time of holding the special sessions aforesaid, public notice shall be given at each of the places aforesaid, and at such other places in the State of Missouri as he shall direct: *Provided*, That, at either of the places aforesaid, the court may take cognizance and jurisdiction of any claim within the limits of the State: *Provided, moreover*, That if there should be any person defending against the confirmation of such claim, in such case the trial, in case he shall request the same, shall be had at that place nearest the residence of such person defending against such confirmation: *Provided*, That none of the provisions of this act shall be applied to a claim of the representatives or assignees of Jacques Clamorgan, deceased, lying between the Missouri and the Mississippi rivers, and covering parts of the counties of St. Charles and Lincoln, in the State of Missouri.

At St. Genevieve.
And at Jackson.

Proviso; court may take cognizance at either of the places.

Proviso; in case of a person defending, trial may be had nearest his residence.

Proviso; not to apply to the claim of Jacques Clamorgan.

The district judge to be allowed 500 dols. per annum, in addition, &c.

SEC. 13. *And be it further enacted*, That the district judge for the State of Missouri shall, while in the discharge of the duties imposed by this act, be allowed at the rate of eight hundred dollars per annum, in addition to his salary as district judge for the State of Missouri, which shall be in full for his services.

All the provisions of this act to extend to, &c. the Territory of Arkansas.

SEC. 14. *And be it further enacted*, That all the provisions of this act shall extend to and be applicable to the Territory of Arkansas; and for the purpose of finally settling and adjusting the titles and claims to lands derived from the French and Spanish Governments, respectively, the superior court for the Territory of Arkansas shall have, hold, and exercise, jurisdiction in all cases, in the same manner and under the same restrictions and regulations, in all respects, as by this act is given to the district court for the State of Missouri; and the judges of the superior court, clerk of said court, marshal, and district attorney of the United States, for the said Territory, shall, severally, perform the same duties and have the same powers, in relation to the claims to land presented and prosecuted in said court, in the Territory of Arkansas, as is herein provided with regard to the titles and claims to land presented and prosecuted in the district court for the State of Missouri; and the judges of said superior court, the clerk, marshal, and district attorney, shall each, severally, receive the same fees, emoluments, and compensation, for their services, as is in this act provided in regard to the district judge, clerk, marshal, and district attorney, in

The judges of the sup'r court, clerk, marshal, and district attorney, to perform the same duties, and have the same powers, &c. as in other cases.

the State of Missouri; and the said court shall commence its first session on the first Monday in October next, at Little Rock, in the Territory of Arkansas; and, afterwards, shall sit, upon its own adjournments, at the place aforesaid, until all the business before it shall be completed, or the time limited by this act shall have expired; of which public notice shall be given, as is provided in this act in relation to the district court of the State of Missouri: *Provided*, That in all cases of a decree against the United States for a greater quantity of land than five hundred acres, in the superior court of Arkansas, it shall be the duty of the attorney of the United States to transmit to the Attorney General of the United States, so soon as may be, a like statement of the facts and points of law in the case as is required of the district attorney of Missouri; and the same right of appeal from the decisions of the court in Arkansas shall be allowed to each party that are prescribed in relation to decisions in the district court of Missouri.

First session of the court.

Proviso; right of appeal, &c.

SEC. 15. *And be it further enacted*, That none of the provisions of the fourteenth section shall extend to claims of a larger amount than one league square.

Fourteenth section not to extend to claims above one league square.

Approved, May 26, 1824.

[See Part II, Nos. 19, 22, 23, 519, 680, 681, 704, 708, 725, 868, 1,018.]

CHAP. 306.—An act providing for the disposition of three several tracts of lands in Tuscarawas county, in the State of Ohio, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the three several tracts of land lying in the county of Tuscarawas, in the State of Ohio, lately retroceded to the United States by the Society of United Brethren for propagating the Gospel among the Heathen, shall be surveyed and laid off into such lots, having regard to the existing surveys and improvements thereon, as will best conduce to the sale thereof: *Provided*, That the lots and tracts which the United States are bound to convey to the said society shall be laid off according to the contract for retrocession: *And provided, also*, That a suitable number of in-lots and out-lots, in the town of Gnadenbutten, shall be laid off for said town, embracing the improved part thereof and the fields adjoining, now occupied by the inhabitants, which shall be platted and numbered, and a copy recorded in said county, according to the laws of Ohio.

Three tracts of land in the county of Tuscarawas, Ohio, to be surveyed and laid off into lots.

Proviso; according to contract.

Proviso; lots for the town of Gnadenbutten, &c.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall be, and is hereby, authorized to appoint an agent, who shall reside near the said land, whose duty it shall be to superintend and direct the survey of said land and lots; to receive and pay over to the Treasury the rents due and to become due on said lands; to take possession of

An agent to be appointed, to reside near said land--and his duty.

such parts of said lands as may be forfeited by the tenants by reason of non-performance of the covenants in their leases; to ascertain the actual cash value of each of the lots and town lots, with the improvements thereon, and, also, the value of each, subject to the conditions of the lease outstanding on it, by the aid of two disinterested appraisers, to be selected by the Secretary of the Treasury, to ascertain the award to be made to Isaac Simmers, Jesse Walton, Barzilia Walton, Jesse Hill, and Boaz Walton, according to their leases; to receive a surrender of such of the leases outstanding on such lands as the holders thereof may be disposed to make, who have or shall first comply with the conditions of their leases up to the time of the surrender; to superintend the sale of said lands and lots, and to transfer to the purchasers who shall buy any of said land or lots, subject to the leases thereon, the lease of the lot or land so bought; and to do whatever else may be necessary to effect a speedy and advantageous disposition of said lands and lots.

Appraisers to be appointed by the Secretary of the Treasury.

A right of pre-emption to be allowed to John Andreas, and others.

SEC. 3. *And be it further enacted*, That a right of pre-emption shall be allowed to John Andreas, John Neigaman, Jacob Winsh, and Catharine Tschudy, at the real cash value of the lots occupied by them, according to the stipulations of the said agreement for retrocession, and to any of the lessees, for any lot embracing their lease; and, also, to the said Society of United Brethren, for any of the remaining lots or town lots, to an amount not exceeding the amount stipulated to be paid to them by the United States: *Provided*, That any of the persons entitled to pre-emption, who shall be desirous to avail themselves of such right, shall give notice to the said agent of such their intention before the cash value of the lots is ascertained; and, in the case of the lessees, shall, at or before the time of giving such notice, pay all arrears of rent and surrender their leases, and shall, immediately after the said cash value is ascertained, be entitled to a patent for the lot or land to which they are entitled, as aforesaid, on paying the amount of such cash value; or, in the case of the society, on their executing and delivering to said agent a discharge to the United States for so much as said lot or land whereto a pre-emption is claimed shall amount to, on account of any sum to become due them by reason of the stipulations in said retrocession; and no right to such pre-emption shall be considered as extending beyond the time of commencing the sale of said lands, as hereinafter directed.

Proviso; persons entitled to pre-emption, to give notice, &c.

The usual ground for streets and alleys in the town, to be allowed for public use.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury may cause to be designated and allowed for public use the usual ground for streets and alleys in said town, for public ground, and for schools; and may, moreover, cause to be designated and set apart one lot in each of said tracts, not exceeding one thirty-sixth part of each, the title whereof shall be vested in the Legislature of the State of Ohio, and held in trust for the use of schools, in the same manner as

other lands granted by the United States for the use of schools are held in that State.

SEC. 5. *And be it further enacted,* That immediately after the said surveys shall be completed, the cash value ascertained, and the school lands designated, the said agent shall give notice, by advertisement in one newspaper in Washington city, and one in Steubenville, one in Zanesville, and one in New Philadelphia, Ohio, of the time, not less than sixty days from the first publication, when he will offer the said lands and lots for sale at public vendue at the court-house in New Philadelphia aforesaid; and shall, at such time and place, proceed to offer for sale, to the highest bidder, any of said lands or lots remaining undisposed of, in the manner hereinbefore provided for; and none of said lots or land shall be put up at a less sum than the actual cash value ascertained as aforesaid; and in case any of said lessees shall have failed or refused to surrender their leases, the sale shall be made subject to those leases; and each purchaser who may purchase at such sale shall immediately pay to the said agent the amount of his purchase, and take his receipt for the amount, specifying the lot or land purchased; upon which the purchaser shall be entitled to a patent as other purchasers of public land are; but in case any purchaser shall fail to make his payment, as aforesaid, at or before the close of the sale, he shall be considered as having forfeited his purchase, and the land struck off to him shall be again offered for sale, in the same manner as if it had never been struck off; and the said agent, immediately after the close of such sale, shall pay over the money received at such sale and for rent to the United States, and report all his proceedings to the General Land Office; and the President shall be, and he is hereby, authorized, whenever the boundaries of the several lots stipulated to be conveyed to the said society shall be ascertained, to issue patents therefor to said society.

SEC. 6. *And be it further enacted,* That the agent herein provided for shall take an oath of office, and give bond and security, in such sum and form as the Secretary of the Treasury may direct, and be allowed and paid for his services a salary at the rate of six hundred dollars per annum: *Provided,* That said office shall not continue longer than is necessary to perform the duties herein required, and not longer than one year; and said salary, together with the incidental expenses attending the said survey and sale, shall be charged to the fund to be raised by the sale of said lots and land. The said appraisers shall be allowed the sum of two dollars for each day actually employed in the appraisement aforesaid, and neither the said agent nor appraisers shall be at liberty to purchase any of the said lands or lots.

SEC. 7. *And be it further enacted,* That if any such land or lots remain unsold at public auction, as aforesaid, the same shall be subject to entry and sale at the land office in Zanesville, in Ohio, at the actual cash price, ascertained as afore-

After the surveys are made, value ascertained, and the school lands designated, the agent to give notice through certain newspapers of the time of sale, &c.

At cash value, &c.

Purchaser failing to pay, forfeits, &c.

Agent to pay over, and report.

President to issue patents.

Said agent to take an oath, and give security.

To receive \$600 per annum.

Provido; office not to continue longer than a year, &c.

Appraisers allowed \$2 a day, &c.

Any land or lots remaining unsold at public auction, shall be subject to entry and sale, at the land office in Zanesville.

Separate account
of proceeds, &c.

Secretary of the
Treasury to pay,
&c.

President to design-
ate a reservation
in case the Chris-
tian Indians feel a
disposition to re-
move from their
residence on the
river Thames.

said, in the same manner that other lands of the United States are authorized to be entered; and it shall be the duty of the accounting officers of the Treasury Department to keep a separate account of the proceeds of the lots and lands aforesaid, and of all moneys received and disbursed on account thereof; and after the expenses of survey and sale of said lots and land shall be reimbursed, it shall be the duty of the Secretary of the Treasury to pay to the said society the sums stipulated to be paid them, and for which they shall not have taken lands and lots as hereinbefore provided for; to pay to the said Simmers, Hill, and Waltons, the sums awarded to them, and then to credit the residue of the proceeds of said lots and lands, as they shall be received, to the fund for raising the annuity for the Christian Indians, so called, in the manner stipulated in the agreement entered into with them on the eighth of November, one thousand eight hundred and twenty-three.

SEC. 8. *And be it further enacted*, That whenever the said Christian Indians shall notify the President of the United States that they wish to remove from their present residence on the river Thames, into the territory of the United States, it shall be lawful for the President to designate a reservation of not less than twenty-four thousand acres of land, to be held by the said Indians in the usual manner of Indian reservations, so long as they shall live thereon; and from the time said Indians shall remove on to said reservation, the said annuity shall cease.

Approved, May 26, 1824.

[See Part II, Nos. 305, 821.]

CHAP. 307.—An act supplementary to the several acts providing for ascertaining and adjusting the titles and claims to land in the St. Helena and Jackson Court-house land districts.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Claimants of lands
within the limits of
the land district of
St. Helena, to be
allowed until the
1st of Jan. next to
present them.

sembled, That the claimants of lands within the limits of the land district of St. Helena, as established by the act of the twenty-fifth of April, one thousand eight hundred and twelve, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans,"* whose claims have been presented to the commissioner appointed to receive and examine claims and titles to lands in said district, or to the register and receiver, acting as commissioners, under the provisions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands and establishing land offices in the districts east of the island of New Orleans,"† and which have not been reported to Congress, or whose claims have not been

*Chapter 133.

†Chapter 236.

heretofore presented to the said commissioner, or to the register and receiver, acting as commissioners, be allowed until the first day of January next to present their titles and claims, and the evidence in support of the same, to the register and receiver of the said district, whose powers and duties in relation to the same shall, in all respects, be governed by the provisions of the acts before recited and of the act of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land and establishing land offices in the districts east of the island of New Orleans."*

*Chapter 273.

SEC. 2. *And be it further enacted*, That the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator and such other duty as may be required by said register and receiver: and the said register and receiver shall each be allowed, as a compensation for their services in relation to the said claims, and for the services to be performed under the provisions of the several acts to which this is a supplement, at the rate of one thousand dollars a year; and the clerk at the rate of twelve hundred and fifty dollars a year; and the clerk employed by the said register and receiver, last year, shall be allowed, for the services then rendered by him, nine months' salary, at the same rate; which several sums of money shall be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That not more than two years' compensation be thus allowed to either the register and receiver, or their clerk; and the payment of the whole or any portion of the aforesaid compensation may be withheld by the Secretary of the Treasury until a report shall have been made to him of the performance of the services for which the same is allowed.

The register and receiver to appoint a clerk.

Compensation of the register and receiver.

Compensation of the clerk.

Provide; not more than two years' compensation.

Payment may be withheld, until, &c.

SEC. 3. *And be it further enacted*, That all donation claims which may be presented to the said register and receiver under this act, and all claims founded on complete or incomplete titles, which may be so presented, not heretofore surveyed, shall be surveyed at the expense of the claimants.

All donation claims to be surveyed at the expense of the claimants.

SEC. 4. *And be it further enacted*, That the principal deputy surveyor of the United States for the St. Helena district shall reside at such place in the said district as shall be designated by the President of the United States.

Deputy surveyor to reside where the President may think proper.

Approved, May 26, 1824.

[See Part II, Nos. 19, 670, 671, 672, 673, 674, 676, 697, 699, 700, 702, 706, 707, 714.]

CHAP. 308.—An act explanatory of "An act entitled 'An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands,'"† approved on the eighteenth day of May, one thousand eight hundred and twenty-four.

†Original act, ch. 286.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

The benefits, &c. of the act of May 18, 1824, extended to those who have obtained certificates of further credit for any quantity of land.

sembled, That the benefits and privileges of the act of Congress entitled "An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved on the eighteenth day of May, one thousand eight hundred and twenty-four, of which this act is explanatory, be extended to those persons who have obtained certificates of further credit for any half-quarter section, or for any fractional section of land, under the provisions of any of the several laws for the relief of purchasers of public lands referred to in the said act, of which this is explanatory.

All relinquishments of land executed under said act, to be filed with the register of the land office where purchased.

*Chapter 226.

SEC. 2. *And be it further enacted*, That all relinquishments of land which shall be executed under the provisions of the said act of the eighteenth day of May, one thousand eight hundred and twenty-four,* or under the provisions of this act, shall be filed with the register of the land office at which the land was purchased, any thing in the said act of the eighteenth of May, one thousand eight hundred and twenty-four, of which this is explanatory, to the contrary notwithstanding.

Approved, May 26, 1824.

[See Part II, Nos. 13, 301, 306, 307, 308, 310, 312, 313, 321, 324, 344, 396.]

†Further extended. Chap. 376.

CHAP. 309.—An act to allow further time to complete the issuing and locating of military land warrants.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

The issuing of land warrants revived, and continued in force for five years.

‡Chapter 226.

sembled, That the authority granted to the Secretary of the Department of War, by an act, approved the twenty-fourth day of February, one thousand eight hundred and nineteen,‡ to issue warrants for the military land bounties to persons entitled thereto, shall be revived and continued in force for the term of five years.

Approved, May 26, 1824.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 226, 237.]

§Original act, ch. 222.

CHAP. 310.—An act supplementary to "An act providing for the examination of titles to land in that part of the State of Louisiana situated between the Rio Hondo and the Sabine river."§

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

The powers given to, &c. the register and receiver of the land office south of Red river, Louisiana, by the act of 3d March, 1822, extended.

sembled, That the powers given to, and duties required of, the register and receiver of the land office south of Red river, in the State of Louisiana, by the act of the third of March, eighteen hundred and twenty-three, entitled "An act providing for the examination of the titles to land in

that part of the State of Louisiana situated between [the] Rio Hondo and the Sabine river,"* be extended to all that tract of country known and called by the name of "the neutral territory," lying east of the present western boundary of Louisiana, and west of the limits to which the land commissioners have heretofore examined titles and claims to land in said State; and in the examination of claims to land within the aforesaid limits, the register and receiver shall, in all respects, be governed by the provisions of the aforesaid act.

SEC. 2. *And be it further enacted*, That the register and receiver of said land offices shall, severally, receive, as a full compensation for the duties required of them by this act, the sum of two hundred dollars, whenever they shall have finished the business required to be performed by them by this act and the act to which this is a supplement, and have forwarded their reports to the Secretary of the Treasury.

The register and receiver to receive each \$200 when they have finished the business.

Approved, May 26, 1834.

[See Part II, Nos. 19, 675, 737.]

CHAP. 311.—An act supplementary to an act, passed on the thirteenth day of June, one thousand eight hundred and twelve, entitled "An act making further provisions [provision] for settling the claims to land in the Territory of Missouri."†

†Original act, ch. 140.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the individual owners or claimants of town or village lots, out-lots, and common field lots, in, adjoining, or belonging to, the several towns or villages of Portage des Sioux, St. Charles, St. Louis, St. Ferdinand, Villa a Robert Carondelet, St. Genevieve, New Madrid, New Bourbon, and Little Prairie, in Missouri, and the village of Arkansas, in the Territory of Arkansas, whose lots were confirmed by the act of Congress of the thirtieth [thirteenth] of June, one thousand eight hundred and twelve, entitled "An act making further provision for settling the claims to land in the Territory of Missouri,"‡ on the ground of inhabitation, cultivation, or possession, prior to the twentieth day of December, one thousand eight hundred and three, to proceed, within eighteen months after the passage of this act, to designate their said lots by proving, before the recorder of land titles for said State and Territory, the fact of such inhabitation, cultivation, or possession, and the boundaries and extent of each claim, so as to enable the surveyor general to distinguish the private from the vacant lots appertaining to the said towns and villages.

Duty of the individual owners or claimants of village and other lots, in certain towns in Missouri and Territory of Arkansas, which were confirmed by the act of the 13th of June, 1812.

‡Chapter 140.

SEC. 2. *And be it further enacted*, That immediately after the expiration of the said term allowed for proving such facts, it shall be the duty of the surveyor general within

Duty of the Surveyor general.

whose district such lots lie to proceed, under the instructions of the Commissioner of the General Land Office, to survey, designate, and set apart, to the said towns and villages, respectively, so many of the said vacant town or village lots, out-lots, and common field-lots, for the support of schools in the said towns and villages, respectively, as the President of the United States shall not, before that time, have reserved for military purposes, and not exceeding one twentieth part of the whole lands included in the general survey of such town or village, according to the provisions of the second section of the above-mentioned act of Congress; and, also, to survey and designate, so soon after the passage of this act as may be, the commons belonging to the said towns and villages, according to their respective claims and confirmations, under the said act of Congress, where the same has not been already done: *Provided*, That lots relinquished to the United States on account of damages done them by the earthquakes, and in lieu of which lands have been located elsewhere, shall neither be so designated or set apart, nor taken into the estimate of the quantity to which any town or village is entitled.

Proviso; lots relinquished, &c. not to be designated, &c.

The recorder to issue a certificate of confirmation for each claim confirmed, and to receive \$1 therefor.

SEC. 3. *And be it further enacted*, That the recorder shall issue a certificate of confirmation for each claim confirmed, and shall receive, for the services required of him by this act, the sum of one dollar for each lot so proved to have been inhabited, cultivated, and possessed, to be paid by the respective claimants; and, so soon as the said term shall have expired, he shall furnish the surveyor general with a list of the lots so proved to have been inhabited, cultivated, or possessed, to serve as his guide in distinguishing them from the vacant lots to be set apart as above described, and shall transmit a copy of such list to the Commissioner of the General Land Office.

The provisions of this act, and the act of 13th June, 1812, to extend to the village of Mine à Burton.

SEC. 4. *And be it further enacted*, That the provisions of this act, and of the aforesaid act of the thirtieth [thirteenth] of June, one thousand eight hundred and twelve, be, and the same are hereby, extended to the village of Mine à Burton, and the right of filing their claims with the recorder.

Approved, May 26, 1824.

CHAP. 312.—An act granting certain lots of ground to the corporation of the city of Mobile, and to certain individuals of said city.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the right and claim of the United States to the lots known as the hospital and bake-house lots, containing about three fourths of an acre of land, in the city of Mobile, in the State of Alabama; and, also, all the right and claim of the United States to all the lots not sold or con-

All the right and claim of the United States to the lot known as the hospital and bake-house lots, in the city of Mobile, &c., vested in the mayor and aldermen of said city.

firmed to individuals, either by this or any former act, and to which no equitable title exists, in favor of any individual, under this or any other act, between high-water mark and the channel of the river, and between Church street and North Boundary street, in front of the said city, be, and the same are hereby, vested in the mayor and aldermen of the said city of Mobile for the time being, and their successors in office, for the sole use and benefit of the said city, forever.

SEC. 2. *And be it further enacted*, That all the right and claim of the United States to so many of the lots of ground east of Water street, and between Church street and North Boundary street, now known as water lots, as are situated between the channel of the river and the front of the lots known, under the Spanish Government, as water lots, in said city of Mobile, whereon improvements have been made, be, and the same are hereby, vested in the several proprietors and occupants of each of the lots heretofore fronting on the river Mobile, except in cases where such proprietor or occupant has alienated his right to any such lot now designated as a water lot, or the Spanish Government has made a new grant or order of survey for the same, during the time at which they had the power to grant the same; in which case, the right and claim of the United States shall be, and is hereby, vested in the person to whom such alienation, grant, or order of survey, was made, or in his legal representative: *Provided*, That nothing in this act contained shall be construed to affect the claim or claims, if any such there be, of any individual or individuals, or of any body politic or corporate.

Right and claim of the United States to other lots in said city, vested in the person to whom such alienation, grant, or order of survey, was made.

proviso; not to affect claims of individuals, &c.

Approved, May 26, 1824.

CHAP. 313.—An act granting to the corporation of Tuscaloosa certain lots and privileges over the reservations and commons in said town.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the right and title of the United States to the public streets and to certain lots in the town of Tuscaloosa, set apart for public uses, and designated in the plan of said town by the names of the "Court square," the "Market square," the "Jail lot," the "Spring," the "Church," and the "Burial ground," be, and the same is hereby, vested in the corporation of said town, forever; and, also, all the right of the United States to that tract between the lots and the river Tuscaloosa, called the "River Margin," and of that called the "Pond," and, also, of that called "the Common," on condition, however, that the corporation shall not lease or sell any portion of the last-mentioned tracts, but that the same shall be appropriated to the purposes for which they were designated and set apart, as well for the benefit of the

The right and title of the U. States to the public streets, &c., in the town of Tuscaloosa, set apart for public uses, vested in the corporation of said town, forever.

The right, &c. to that tract between the lots and the river Tuscaloosa, also vested in said corporation, on certain conditions.

inhabitants of said town as for that of those resorting to or visiting the same; and in case the same, or any part thereof, be applied to any other purpose, that it revert to the United States.

Approved, May 26, 1824.

CHAP. 314.—An act reserving to the Wyandot tribe of Indians a certain tract of land, in lieu of a reservation made to them by treaty.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, reserved, for the use of the chiefs and tribe of Wyandot Indians, subject to the conditions and limitations of the former reservation, the northeast quarter of section numbered two, in township two, and range seventeen south of the base line, of land in the Delaware land district, in the State of Ohio, in lieu of one hundred and sixty acres of land on the west side of and adjoining the Sandusky river, and which was reserved to said tribe of Indians by a supplementary treaty between the United States and certain tribes of Indians, held at St. Mary's, in the State of Ohio, on the seventeenth day of September, eighteen hundred and eighteen, on condition that the chiefs of said Wyandot tribe first relinquish to the United States all the right, title, and claim, of said tribe, to the one hundred and sixty acres of land reserved by said supplementary treaty.

Approved, May 26, 1824.

[See Part II, No. 47.]

CHAP. 315.—An act for the relief of the corporation of the church of St. Anne, and to authorize the extension of Larned street, in the town of Detroit.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the Governor and judges of the Territory of Michigan to cause Larned street, in the town of Detroit, to be continued, westerly, parallel to Jefferson avenue, until it intersects the street which runs northerly from said avenue, at right angles therewith, near the public barn, agreeable to the plan of the town; and to cause the public barn, and the pickets bounding the military reserve, to be removed to the north side of Larned street.

SEC. 2. *And be it further enacted,* That so much of the military reserve lying south of Larned street, thus extended, as is included in the deed from the said Governor and judges to the corporation of the Catholic Apostolic and Roman Church of St. Anne, of Detroit, on the eleventh day of January, one thousand eight hundred and seventeen, be, and

The north quarter section numbered two, in township two, and range 17, in the Delaware land district, Ohio, reserved for the use of the Wyandot tribe of Indians, in lieu of land reserved by treaty, on condition, &c.

Larned street, in Michigan, to be continued.

Public barn and pickets to be removed.

So much of the military reserve lying south of said street, confirmed to the corporation of St. Anne.

the same is hereby declared to be, confirmed to the said corporation.

SEC. 3. *And be it further enacted*, That the residue of the said military reserve between Larned street and Jefferson avenue, included within the pickets of the said reserve, and bounded west by said street, which runs from said avenue to the public barn, and east by the east bounds of the military reserve, be, and the same is hereby declared to be, vested in the said Governor and judges, to be disposed of as, by the act of Congress passed the twenty-first day of April, one thousand eight hundred and six, entitled "An act to provide for the adjustment of titles of land in the town of Detroit and Territory of Michigan, and for other purposes,"* is directed.

The residue of the reserve between Larned street and Jefferson avenue, vested in the Governor and judges, to be disposed of agreeably to the act of 21st April, 1806.

*Ante, chap. 65.

Approved, May 26, 1824.

CHAP. 316.—An act granting a tract of land to the parish of West Baton Rouge, on certain conditions.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the right of the United States to a tract of land of about eight arpens front on the Mississippi river, be, and the same is hereby, granted to the inhabitants of the parish of West Baton Rouge, within which said land is situated, on condition that said parish shall at all times keep, or cause to be kept, a good and sufficient levee on said land in front on the river Mississippi; and if they should, at any time hereafter, cease to keep, or cause to be kept, a good and sufficient levee, the land shall revert to the United States.

The right of the United States to a tract of land granted to the parish of West Baton Rouge, on condition of its keeping a good levee, &c.

Approved, May 26, 1824.

CHAP. 317.—An act to authorize the Legislature of the State of Ohio to sell and convey certain tracts of land granted to said State for the use of the people thereof.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Legislature of the State of Ohio shall be, and is hereby, authorized and empowered to cause to be sold and conveyed, in such manner and on such terms and conditions as said Legislature shall, by law, direct, the following tracts of land, heretofore granted to said State for the use of the people thereof, to wit: so much of the six-mile reservation, including the salt springs commonly called the Sciota salt springs, as remains unsold, the salt springs near the Muskingum river and in the military tract, with the sections of land which include the same; the proceeds thereof to be applied to such literary purposes as said Le-

Tracts of land in Ohio to be sold, &c., as the Legislature may direct.

gislature may hereafter direct, and to no other use, intent, or purpose, whatsoever.

Approved, December 28, 1824.

CHAP. 318.—An act authorizing repayment for land erroneously sold by the United States. (1)

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person, or the legal representative of every person, who is or may be a purchaser of a tract of land from the United States, the purchase whereof is or may be void, by reason of a prior sale thereof by the United States, or by the confirmation or other legal establishment of a prior British, French, or Spanish grant thereof, or for want of title thereto in the United States, from any other cause whatsoever, shall be entitled to repayment of any sum or sums of money paid for or on account of such tract of land, on making proof, to the satisfaction of the Secretary of the Treasury, that the same was erroneously sold, in manner aforesaid, by the United States, who is hereby authorized and required to repay such sum or sums of money paid as aforesaid.

Purchasers of public lands, where the purchase has been found void, to receive such sum as they may have paid therefor.

Approved, January 12, 1825.

[See Part II, Nos. 368, 373, 416, 420, 423, 455, 862.]

(1) By the third section of the act of 25th February, 1825, "making appropriations for the support of Government," &c., it is further provided "that the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum or sums of money to which any person, or the legal representatives of any person, may be entitled, by virtue of the act authorizing repayment for land erroneously sold by the United States, approved the 12th day of January, in the year 1825, upon such person, or his or her legal representatives, complying with the requisitions of this act."

CHAP. 319.—An act confirming certain claims to lands in the western district of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the claims to land embraced in the report made by the commissioners appointed for adjusting the titles and claims to land in the western district of Louisiana, upon the thirtieth day of December, eighteen hundred and fifteen, and recommended by them for confirmation, be, and the same are hereby, confirmed: *Provided,* That no person or persons shall be entitled, by any one claim, to a greater quantity than one league square, under this act.

Report of the commissioners for adjusting the titles, &c. to land in the western district of Louisiana, of 30th December, 1815, confirmed.

Proviso: no person entitled to more than a league square.

Approved, February 5, 1825.

[See Part II, No. 19.]

CHAP. 320.—An act to authorize the sale of a section of land therein mentioned.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury shall be, and he is hereby, authorized to cause to be exposed to public sale, in the same manner other lands of the United States are, the section numbered thirty-four, of the eleventh township and third range of townships offered for sale at Steubenville, Ohio; and if not so sold, the said section shall be liable to entry in the Steubenville land office, as other lands are.

Section numbered 34, of the eleventh township, and third range of townships, to be offered for sale in Ohio.

If not sold, &c.

Approved, March 3, 1825.

CHAP. 321.—An act to extend the time for the settlement of private land claims in the Territory of Florida, to provide for the preservation of the public archives in said Territory, and for the relief of John Johnson.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when the Secretary of the Treasury shall be satisfied that John Johnson, of Indiana, did enter, at the Brookville land office, in said State, the east half of the northeast quarter of section thirty-five, and the west half of the northwest quarter of section thirty-six, in township seventeen north, in range four east, by mistake, instead of the east half of the southeast quarter and the west half of the southwest quarter of the same sections, it shall be lawful for a patent to be issued to the said John Johnson for the two last-mentioned half-quarters, so intended to be entered, on his relinquishing to the United States his interest in, and surrendering the patent issued for, the two first-mentioned half-quarters, in such manner as shall be directed by the Secretary of the Treasury.

The Secretary of the Treas'y, when satisfied that John Johnson, of Indiana, did enter, through mistake, certain half-quarter sect'ns of land, shall issue to him a patent for two others.

On relinquishing interest, and surrendering patent.

SEC. 2. *And be it further enacted*, That the commissioners appointed to ascertain claims and titles to land in East Florida be, and they are hereby, authorized to continue their session until the first Monday of January, one thousand eight hundred and twenty-six, under the same laws, ordinances, and regulations, heretofore established for their government.

The commissioners of land claims in East Florida, to continue their session until the 1st Monday in January, 1826.

SEC. 3. *And be it further enacted*, That so much of the act entitled "An act to extend the time limited for the settlement of private land claims in Florida,"* as renders void all claims to land in said Territory not filed on or before the first day of September, one thousand eight hundred and twenty-four, be, and the same is hereby, repealed; and it shall be lawful for claims to be filed before the board of commissioners in East Florida any time prior to the first

Part of the act extending the time for the settlement of private land claims in Florida, repealed.

*See act of 28th Feb. 1824, sec. 6, chap. 393, ante.

Claims may be filed at any time prior to 1st Nov. 1825.

day of November, one thousand eight hundred and twenty-five.

Two additional clerks for the board of commissioners of East Florida, at 700 dolls. each.

SEC. 4. *And be it further enacted*, That there shall be appointed two additional clerks to the board of commissioners of East Florida, to each of whom shall be allowed the sum of seven hundred dollars, to be paid quarterly by the Treasury of the United States.

Compensation of the commissioners, at the rate of 2,000 dolls. per annum.

SEC. 5. *And be it further enacted*, That each of the commissioners appointed for the examination of claims in East Florida be allowed at the rate of two thousand dollars per annum, in full for their services, to be paid quarterly at the Treasury of the United States, out of any money in the Treasury not otherwise appropriated: *Provided, however*, That no one of said commissioners shall be entitled to draw any portion of the compensation hereby allowed him, except on showing an actual and faithful performance of the duties required of him.

Provido; no compensation to commissioner, except on faithful performance, &c.

Duty of the late commissioners and their clerk.

SEC. 6. *And be it further enacted*, That it shall be the duty of the late commissioners for the examination of titles and claims to lands in West Florida, and of their clerk, to deliver to the register and receiver of the land office for the western land district of Florida all records, evidence, and papers, in the possession of them, or either of them, relating to said titles and claims. And it shall be the duty of said register and receiver to examine and decide on all titles and claims to land in West Florida, not heretofore decided upon by said commissioners, subject to the limitations and in conformity with the provisions of the acts of Congress heretofore passed on that subject.

Duty of the register and receiver.

Claimants, where their claims have not heretofore b'n decided on, permitted to file them, &c. with the register and receiver, before the 1st of Nov. next, report, &c.

SEC. 7. *And be it further enacted*, That the several claimants to lands in said district, where claims have not been heretofore decided on, be permitted to file their claims, and the evidence in support of them, with the register and receiver of said district, at any time before the first day of November next, whose duty it shall be to report the same, with their decision thereon, to the Secretary of the Treasury, on or before the first day of January next, to be laid before Congress at the next session.

The register and receiver empowered to appoint their clerk, &c.

800 dolls. to clerk.

SEC. 8. *And be it further enacted*, That the said register and receiver shall have power to appoint their clerk, and prescribe his duties, and who shall be allowed, in full compensation for his services, the sum of eight hundred dollars; and said register and receiver shall each be allowed the sum of one thousand dollars for the performance of the duties required of them by this act; which said several sums of money shall be paid said register and receiver, and their clerk, out of any money in the Treasury not otherwise appropriated, whenever the business is completed, and the report approved by the Secretary of the Treasury.

1,000 dolls. to register and receiver, each.

The President to appoint two keepers of the public archives in Florida.

SEC. 9. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to appoint two officers, to be called the keepers of the public archives

in the Territory of Florida, one of whom shall keep his office at St. Augustine, in East Florida, and the other at Pensacola in West Florida.

At St. Augustine and Pensacola.

SEC. 10. *And be it further enacted*, That the said officers shall each give bond and security, in the sum of twenty thousand dollars, for the safe keeping and preservation of the said archives, and for the faithful performance of the duties of their respective offices, and the translation of such of the records and documents as are hereinafter provided for, and shall each receive a salary of five hundred dollars, to be paid quarterly from the Treasury of the United States.

Keepers to give bond and security for the faithful performance of their duties, in 20,000 dolls.

SEC. 11. *And be it further enacted*, That the said officers shall cause to be made a faithful and complete translation and record of all the Spanish records and documents delivered to them, and having relation to land claims derived from the Spanish and British Governments, distinguishing and keeping separately those which relate to grants made within the districts of Baton Rouge, Mobile, north of latitude thirty-one, and those made within the present limits of Florida; a complete descriptive list of each of which translations and records, when completed, shall be forwarded to the Secretary of the Treasury; and the said officers shall, severally, be entitled to receive from the Treasury of the United States, on the completion of the work, a compensation at the rate of ten cents for each hundred words by them translated and recorded.

Said officers to cause a complete translation, &c. of the Spanish records, having relation to the land claims derived from the Spanish and British Governments.

Descriptive list, &c.

10 cents for each 100 words.

SEC. 12. *And be it further enacted*, That the said officers shall make out and deliver to individual applicants copies or translations of any documents in their said offices, on being paid for the same at the rate of six and one fourth cents for each hundred words.

Said officers to deliver copies or translations to individual applicants.

SEC. 13. *And be it further enacted*, That the several sums of money hereby appropriated shall be paid out of any money in the Treasury not otherwise appropriated.

Money appropriated by this Act to be paid from the Treasury.

Approved, March 3, 1825.

CHAP. 322.—An act to extend the time of issuing and locating military land warrants to officers and soldiers of the revolutionary army.*

*Further extended by Act act 2d March, 1827, chap. 342.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time limited by the second section of the act, approved the twenty-fourth day of February, one thousand eight hundred and nineteen,† for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended till the fourth of March, one thousand eight hundred and twenty-seven, and the time for locating the unlocated warrants shall be extended till the first day of October thereafter.

The time limited by the act of 24th Feb. 1819, for issuing military land warrants, extended.

†Chap. 225.

Approved, March 3, 1825.

[See Part II, Nos. 2, 42, 106, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 323.—An act to authorize the Legislature of the State of Ohio to sell the lands heretofore appropriated for the use of schools in that State.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislature of the State of Ohio shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress, for the use of schools within said State, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said Legislature, for the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, Said land, or any part thereof, shall in no case be sold without the consent of the inhabitants of such township or district, to be obtained in such manner as the Legislature of said State shall by law direct: *And provided, also*, That, in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

Legislature of Ohio authorized to sell lands reserved by Congress for the use of schools in said State, and to invest the money arising therefrom in some productive fund.

Proviso; townships, &c. entitled to such portion of the proceeds of the fund as may accrue from money arising from sale of land belonging thereto.

Proviso; proceeds of said fund to be divided among the respective townships.

If the proceeds accruing to any township or district be insufficient for the support of schools therein, the Legislature is to invest the same as before directed, until adequate thereto.

SEC. 2. *And be it further enacted*, That if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said Legislature to invest the same, as is hereinbefore directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

Approved, February 1, 1826.

CHAP. 324.—An act to authorize the Legislature of the State of Mississippi to appropriate the amount of the three per cent. fund, arising from the sales of public lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That three fifths of the five per cent. fund, arising from the nett proceeds of the sales of public lands within the State of Mississippi, may be appropriated by the Legislature thereof to the making of public roads and canals, and to the improvement of the navigation of rivers and bays, within said State.

Approved, March 14, 1826.

3-fifths of the 5 per cent. fund, arising from the sale of public lands, to be appropriated to the making of roads and canals, &c.

CHAP. 325.—An act to confirm the supplementary report of the commissioners of the western district of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claims marked B, described in the supplementary report of the commissioners of the western district of the State of Louisiana, dated the eleventh of May, one thousand eight hundred and fifteen, and recommended by them for confirmation, be, and the same are hereby, confirmed, in the same manner and under the same restrictions as the report to which this was supplementary was confirmed, by the act of the twenty-ninth of April, one thousand eight hundred and sixteen.*

Claims marked B, described in the supplementary report of the commissioners of the western district of Louisiana, of 11th May, 1815, confirmed.

Approved, March 31, 1826.

*Chap. 107.

[See Part II, Nos. 19, 843.]

CHAP. 326.—An act to extend the land districts in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all that tract of country in the Territory of Arkansas, lying north of the base line, and west of the Lawrence land district, be, and the same is hereby, attached to and made a part of said land district; and all that part of the Territory of Arkansas lying south of the base line, and west of the Arkansas land district, be, and the same is hereby, attached to and made a part of the Arkansas land district: *Provided*, That nothing in this act contained shall be construed as authorizing a survey or interference of any kind whatever upon any lands, the right whereof is in any Indian tribe.

Tract of country lying north of the base line and west of the Lawrence land district, made a part of said land district; and that part lying south of the base line and west of the Arkansas land district, attached to said Arkansas land district.

Provided, not to interfere with the right of any Indian tribe.

Approved, April 5, 1826.

[See Part II, Nos. 25, 42, 56, 57, 58, 60, 64, 72, 77, 88.]

CHAP. 327.—An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the States of Alabama, Mississippi, and Territory of Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person, or the legal representatives of any person, who, being either the head of a family or twenty-one years of age, did, on or before the first day of January, in the year one thousand eight hundred and twenty-five, actually inhabit and cultivate a tract of land situated in the Territory of Florida, which tract is not rightfully claimed by any other person, and who shall not have removed from the said Territory, shall be entitled to the right of pre-emption

Any person, &c. who, on or before the 1st of January, 1825, did cultivate, &c. a tract of land in Florida, &c. is to be entitled to the pre-emption in the purchase thereof, under the act of 5th Feb. 1823.

in the purchase thereof, under the same terms, restrictions, conditions, provisions, and regulations, in every respect, as are directed by the act entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the Illinois Territory,"* passed February the fifth, one thousand eight hundred and thirteen: *Provided*, That no person shall be entitled to the provisions of this section who claims any tract of land in said Territory, by virtue of a confirmation of the commissioners, or by virtue of any act of Congress.

*See chap. 149.

Proviso: no person to be entitled to the provisions of this section, unless, &c.

Any person, &c. settled on a fractional quarter section, to have the privilege of purchasing an adjoining one.

SEC. 2. *And be it further enacted*, That any person, or the legal representatives of any person, entitled to a preference in becoming the purchaser of a tract of land at private sale, according to the provisions of this act, who is settled on a fractional quarter section, shall have the privilege of purchasing an adjoining quarter section, or the fractional quarter section, improved by them, at their option.

Where two or more persons are entitled to the right of pre-emption.

SEC. 3. *And be it further enacted*, That in cases where two or more persons, entitled to the right of pre-emption, shall be settled on one quarter or fractional quarter section of land, they shall be authorized to purchase one or more quarter sections, which, with the quarter section or fractional quarter upon which such persons are settled, shall be equally divided between them, in such manner as the register and receiver shall direct, so as to secure, as far as may be practicable, to each person their improvements, respectively: *Provided*, That in no instance shall any person be entitled to a preference in the purchase for more than one quarter section of land, in addition to his portion of the fractional quarter section on which he is settled.

Proviso: no person to be entitled to a preference in the purchase of more than one quarter section.

Any person settled on, &c. any of the school lands, shall have the right of pre-emption on the same terms, &c.

SEC. 4. *And be it further enacted*, That any person or persons who have settled on and improved any of the lands in the said Territory reserved for the use of schools, and who would have had the right of pre-emption thereto by this law, had not the same been so reserved, shall have the right of pre-emption, under the same terms and conditions, and subject to the same restrictions, provided for in other cases of a right of pre-emption in said Territory, to a quarter section of unappropriated lands in the same township, and as near adjacent as lands of like quantity can be obtained.

Every person comprised in the list of actual settlers, reported to the Commissioner of the General Land Office, under the act of 3d March, 1819, entitled to the right of preference, on certain conditions.

SEC. 5. *And be it further enacted*, That every person, or his or her legal representative, comprised in the list of actual settlers reported to the Commissioner of the General Land Office, by the register and receiver for the district of Jackson Court-house, in the State of Mississippi, under the authority of an act of Congress entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans,"† approved the third day of March, one thousand eight hundred and nineteen, not having any written evidence of claim to land in said district, and who, on the third day of March, one thousand eight hundred and nineteen, did actually inhabit and

†Chapter 236.

cultivate a tract of land in said district, not claimed by virtue of any written evidence of claim, legally derived from either the French, British, or Spanish Governments, or granted as a donation by virtue of any act of Congress heretofore passed, shall be entitled to a right of preference, on becoming the purchaser from the United States of such tract of land, at the same price for which other public lands are sold at private sale: *Provided*, That such tract of land shall not contain more than one hundred and sixty acres, to be located by sectional lines, and that the same shall be duly entered with the register of the proper office, within the term of two years, or before, if the same shall be offered at public sale: *And provided, also*, Where any person is settled on and has improved any school lands in said district, he, she, or they, shall be governed by the provisions of the fourth section of this act.

Proviso; tract not to contain more than 160 acres, and to be entered within two years.

Proviso; every person who has improved school lands to be governed by the 4th section of this act.

Approved, April 22, 1826.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 330, 340, 683, 686, 687, 689, 691, 692, 693, 698, 718, 720.]

CHAP. 328.—An act to confirm the reports of the commissioners for ascertaining claims and titles to lands in West Florida, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the decisions made by the commissioners appointed to ascertain claims and titles to lands in the district of West Florida, made in favor of claimants to lands and lots in said district, contained in the reports, opinions, and abstracts, of the commissioners, which have been transmitted to the Secretary of the Treasury, according to law, be, and the same are hereby, confirmed.

Decisions made by the commissioners appointed to ascertain claims, &c. to lands in West Florida, confirmed.

SEC. 2. *And be it further enacted*, That all the reports, abstracts, and opinions, made and forwarded by the two commissioners in said district, subsequently to the first day of January, eighteen hundred and twenty-five, the period at which that board expired by law, be, and the same are hereby, recognised as valid, and confirmed as aforesaid; and the said commissioners, and their secretary, shall be entitled to receive the same compensation as they were authorized to demand by law, prior to that day, up to the time at which the receiver and register took possession of their records, in obedience to an act of the third day of March, eighteen hundred and twenty-five, entitled "An act to extend the time for the settlement of private land claims in the Territory of Florida," &c.*

Reports, &c. made and forwarded by the two commissioners in said district, subsequently to 1st of January, 1825, recognised as valid, &c.

SEC. 3. *And be it further enacted*, That the Spanish claims contained in special reports, from one to thirty, reported in obedience to the fourth section of an act of Congress, approved May eighth, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and titles to

*See chapter 321.

The Spanish claims contained in special reports from 1 to 30, reported in obedience to 4th section of the act of 8th May, 1822, confirmed.

*See chapter 274.

Claims to lots in report, &c. marked K, with the exception of the last 10, confirmed, &c.

Claims contained in the report of the receiver, &c. of the 13th July, 1825, confirmed.

Claim of Francisco and Fernando Moreno, to be so located as not to interfere with grounds reserved by the laws, &c. of the Spanish Government for forts, &c.

Claims to lots in report L, with the exception of that on the square Ferdinand Seventh, confirmed, &c. &c.

Providor: no claim on the public squares of Seville, &c. to be by this act recognised as valid.

Providor: confirmation of all claims to amount only to a relinquishment on the part of the U. States.

Lands fronting Pensacola bay from the mouth of the Big bayou to a line below Tartar point, &c. to be reserved from sale for the use of the United States.

lands in the Territory of Florida,"* be, and the same are hereby, confirmed to the claimants in possession.

SEC. 4. *And be it further enacted*, That the claims to lots in report and abstract K, recommended for confirmation as equitable titles, with the exception of the last ten, be, and the same are hereby, declared valid and confirmed; and the claim of the Catholic inhabitants to a lot on which the church stands be, and the same is hereby, confirmed to them for that use, so long as it is occupied for that purpose.

SEC. 5. *And be it further enacted*, That the claims contained in the report of the receiver and register, made to the Secretary of the Treasury, in obedience to a law of the last session of Congress, dated the thirteenth day of July, eighteen hundred and twenty-five, be, and the same are hereby, confirmed.

SEC. 6. *And be it further enacted*, That the claim of Francisco and Fernando Moreno, near Fort San Carlos de Barancas, shall be so located as not to interfere with the grounds reserved by the laws and ordinances of the Spanish Government for forts, nor with that which has been lately selected for a navy yard and naval depot, by the navy commissioners, and approved by the President of the United States.

SEC. 7. *And be it further enacted*, That the claims to lots in report L, with the exception of that on the square Ferdinand Seventh, be, and the same are hereby, approved and confirmed, so far as the United States have any title to the same, without prejudice to the rights of the corporation : and the lots reserved for market-house and other public uses, in the plan of the constitutional cabildo, are relinquished and confirmed to the corporation of Pensacola ; and the lots reserved and granted for church, parish, vicar, school, and custom-house, are respectively set apart and confirmed, for the objects set forth in the decrees of said cabildo, so far as the United States have any title to the same, without prejudice, as aforesaid : *Provided*, That no claim on the public squares of Seville, Ferdinand Seventh, and the square and garden on which the court-house stands, as laid off in said plan of the cabildo, shall be allowed or recognised as valid by this act : *And provided, also*, That the confirmation of all the said claims provided for by this act shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted.

SEC. 8. *And be it further enacted*, That the lands fronting Pensacola bay, from the mouth of the Big bayou to a line below Tartar point, and thence back to the bayou, selected by the navy commissioners, and all the lands fronting said bay, and for one mile back, as far as the Grand lagoon, shall be reserved from sale or location, for the use of the navy yard or depot, and for other public works of the United States.

SEC. 9. *And be it further enacted,* That the proper accounting officers of the Treasury Department be, and they are hereby, authorized to receive and adjust the accounts of the commissioners appointed to ascertain claims and titles to lands in East and West Florida, for the contingent expenses of said commissioners, and to pay the same out of any money in the Treasury not otherwise appropriated.

Approved, April 22, 1826.

[See Part II, Nos. 19, 823, 830, 833, 850, 857, 864, 870, 872, 875, 878, 888, 891, 895, 896, 897, 934, 951, 957, 959.]

Accounting officers of the Treasury to adjust the accounts of the commissioners of East and West Florida.

CHAP. 329.—An act to extend the lines of certain land districts in the State of Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the western boundary of the land district of Cape Girardeau, and of the Western district, in the State of Missouri, be, and the same is hereby, extended to the western boundary of the State of Missouri.

Approved, May 4, 1826.

Western boundary of the land district of Cape Girardeau and Western district, in the State of Missouri, extended.

[See Part II, No. 61.]

CHAP. 330.—An act making further provision for the extinguishment of the debt due to the United States by the purchasers of public lands.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act entitled "An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands,"† approved May the eighteenth, one thousand eight hundred and twenty-four, and the provisions of the act entitled "An act explanatory of an act entitled 'An act to provide for the extinguishment of the debt due to the United States by the purchasers of the public lands,' "‡ approved May the twenty-sixth, one thousand eight hundred and twenty-four, be, and the same are hereby, severally revived and continued in force, in all respects whatsoever, until the fourth day of July, one thousand eight hundred and twenty-seven.

SEC. 2. *And be it further enacted,* That the legal holder of any certificate of lands purchased from the United States, which land has reverted by virtue of the provisions of the act of the second of March, eighteen hundred and twenty-one,§ or the several acts supplementary thereto; or which, by virtue of the fifth section of the act of tenth of May, one thousand eight hundred,|| is subject to be sold for the balance due thereon, with interest; or which, under the provisions of the said act, has become forfeited to the United

*See chapter 235. Further extended, 21st March, 1823; chap. 360.

The provisions of the act entitled "An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," of May 18, 1821, and the act explanatory thereof, of May 26, 1824, revived and continued in force until 4th July, 1827.

†See chapter 235. ‡See chapter 308.

Legal holder of any certificate of lands purchased from the U. States, which land shall have reverted by act of 2d March, 1821, &c. and is subject to be sold, or has become forfeited to the United States since July 1, 1820, permitted to redeem the same previous to May 1, 1827. §See chap. 263. ||See chap. 61.

States, since the first day of July, eighteen hundred and twenty, and which has not been sold, shall be permitted to redeem the same at any time previous to the first day of May, one thousand eight hundred and twenty-seven, on paying the amount of the purchase-money due, exclusive of interest, with a deduction of thirty-seven and a half per cent.

If the legal holder of any certificate shall, prior to July 1, 1827, discharge the amount due thereon, he is entitled to a remission of interest due at the day of such discharge, &c.

*See chapter 263.

SEC. 3. *And be it further enacted*, That if the legal holder of any certificate of further credit extended to purchasers of public lands by the act of the second of March, eighteen hundred and twenty-one, entitled "An act for the relief of the purchasers of public lands, prior to the first day of July, eighteen hundred and twenty,"* shall, previous to the fourth day of July, eighteen hundred and twenty-seven, discharge the amount due on such certificate, by relinquishment or payment, or both, such holder shall be entitled to a remission of all interest due thereon at the day of such discharge, together with a deduction of thirty-seven and a half per cent. on the amount actually paid in cash.

Approved, May 4, 1826.

[See Part II, Nos. 13, 26, 265, 301, 324, 329, 332, 333, 342, 343, 344, 356, 357, 358, 845.]

CHAP. 331.—An act supplementary to the several acts for ascertaining titles and claims to lands in the St. Helena and Jackson Court-house land districts.†

†See chap. 307.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the claims to land contained in abstracts

Claims to land contained in abstracts A, B, and E, of the report of the register and receiver of the land district of St. Helena Court-house, reported to the Secretary of the Treasury, under date of the nineteenth January, one thousand eight hundred and twenty-five, in obedience to an act of Congress of the twenty-sixth of May, one thousand eight hundred and twenty-four,‡ and the claims embraced in the supplemental report of the register and receiver, under date of the fifth of December, one thousand eight hundred and twenty-five, and which are recommended for confirmation, be, and the same are hereby, confirmed, so far as they may come within the provisions of, and be conformable to, the principles, limitations, and restrictions, of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans."§

A, B, and E, of the report of the register and receiver of the land district of St. Helena Court-house, reported to the Secretary of the Treasury, under date of the nineteenth January, one thousand eight hundred and twenty-five, in obedience to an act of Congress of the twenty-sixth of May, one thousand eight hundred and twenty-four,‡ and the claims embraced in the supplemental report of the register and receiver, under date of the fifth of December, one thousand eight hundred and twenty-five, and which are recommended for confirmation, be, and the same are hereby, confirmed, so far as they may come within the provisions of, and be conformable to, the principles, limitations, and restrictions, of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans."§

‡See chap. 307.

§Chapter 236.

Register and receiver of said district to possess the same powers as are given them by the act of Congress of 8th May, 1822.

SEC. 2. *And be it further enacted*, That the register and receiver of said district shall possess the same powers and perform the said duties in relation to the claims confirmed by this act, as are given to and required of them by the act of Congress of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims and titles to lands,

and establishing land offices, in the district east of the island of New Orleans :''* *Provided*, That nothing contained in this act shall be so construed as to extend farther than a relinquishment of all right and title to said lands, on the part of the United States, without prejudice to the interests of third persons.

*Chapter 273.

Proviso.

SEC. 3. *And be it further enacted*, That the register and receiver and clerk of said land office at St. Helena shall continue to have and receive, for the term of twelve months from the passing of this act, the same salary for the performance of the duties required of them by this act, and the acts to which this is a supplement, as is now allowed by law, which shall be paid out of any money in the Treasury not otherwise appropriated.

Register, receiver, &c. to receive the same salary as is now allowed by law.

Approved, May 4, 1826.

[See Part II, Nos. 697, 699, 700, 702, 706, 707, 714, 843.]

CHAP. 332.—An act to extend and continue in force “An act for the relief of the representatives of John Donnelson, Stephen Herd, and others.”†

†Chapter 299.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That an act entitled “An act for the relief of the representatives of John Donnelson, Stephen Herd, and others,”‡ passed the twenty-fourth of May, one thousand eight hundred and twenty-four, be, and the same is hereby, extended and continued for twelve months, from and after the passing of this act.

Act of 24th May, 1824, for the relief of John Donnelson, Stephen Herd, and others, extended for 12 months.

‡See chap. 299.

Approved, May 15, 1826.

CHAP. 333.—An act to alter the lines between the land districts in the Territory of Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the boundaries of the Southern land district, in the Territory of Michigan, as established by the act passed the third of March, eighteen hundred and twenty-three, entitled “An act to establish an additional land office in the Territory of Michigan,”§ shall be so altered as that, from the point where the present boundary line between the third and fourth townships south intersects the meridian line, the boundary of the said district shall run north with the meridian line until it shall intersect the base line; and thence, with the said line, west, to Lake Michigan.

Boundaries of the Southern land district, in Michigan, established by the act of March 3, 1823, to be altered.

§Chapter 295.

Approved, May 16, 1826.

[See Part II, No. 64.]

CHAP. 334.—An act to confirm certain claims to lands in the district of Opelousas, in Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Claims to lands recommended for confirmation in the report of the register of the land office at Opelousas, in Louisiana, of 1st Oct. 1825, confirmed.

That the several claims to lands, recommended for confirmation in the report of the register of the land office at Opelousas, in the State of Louisiana, dated on the first day of October, one thousand eight hundred and twenty-five, and which are designated in that report by letter A, and numbered one, two, three, four, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-five, twenty-six, thirty-one, thirty-two, thirty-three, thirty-four, thirty-eight, thirty-nine, forty, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-five, sixty-six, sixty-nine, seventy, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-two, eighty-three, eighty-seven, and ninety, be, and the same are hereby, confirmed, agreeably to the said report: *Provided*, That this confirmation shall operate only as a relinquishment of the claim of the United States to the lands hereby confirmed.

Provided; to operate only as a relinquishment of the claim of the United States.

Approved, May 16, 1826.

CHAP. 335.—An act to appropriate lands for the support of schools in certain townships and fractional townships not before provided for.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Following quantities of land, where none is appropriated for the use of schools in certain townships, or fractional townships, to be reserved for such purpose.

That, to make provision for the support of schools in all townships or fractional townships for which no land has been heretofore appropriated for that use, in those States in which section number sixteen, or other land equivalent thereto, is by law directed to be reserved for the support of schools in each township, there shall be reserved and appropriated, for the use of schools, in each entire township, or fractional township, for which no land has been heretofore appropriated or granted for that purpose, the following quantities of land, to wit: for each township or fractional township, containing a greater quantity of land than three quarters of an entire township, one section; for a fractional township, containing a greater quantity of land than one half, and not more than three quarters, of a township, three quarters of a section; for a fractional township, containing a greater quantity of land than one quarter, and not more than one half, of a township, one half section; and for a fractional township, containing a greater quantity of land than one entire section, and not more than one quarter of a township, one quarter section of land.

SEC. 2. *And be it further enacted,* That the aforesaid tracts of land shall be selected, by the Secretary of the Treasury, out of any unappropriated public land within the land district where the township for which any tract is selected may be situated; and, when so selected, shall be held by the same tenure, and upon the same terms, for which the support of schools, in such township, as section number sixteen is or may be held, in the State where such township shall be situated.

Aforesaid tracts of land to be selected by the Secretary of the Treasury, &c.

SEC. 3. *And be it further enacted,* That there shall be selected, in the manner above mentioned, one section and one quarter section of land, for the support of schools within that tract of country usually called the French grant, in the county of Sciota, and State of Ohio.

One section and quarter section, usually called the French grant, in the county of Sciota, to be selected.

Approved, May 20, 1826.

[See Part II, Nos. 326, 341, 359, 378, 394, 397, 424, 462, 467, 468, 477, 495.]

CHAP. 336.—An act concerning a seminary of learning in the Territory of Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury, be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Michigan, to which the Indian title may be extinguished, and not otherwise appropriated, a quantity of land, not exceeding two entire townships, for the use and support of an university within the Territory aforesaid, and for no other use or purpose whatsoever, to be located in tracts of land corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, not less than one section; one of which said townships, so set apart and reserved from sale, shall be in lieu of an entire township of land, directed to be located in said Territory for the use of a seminary of learning therein, by an act of Congress entitled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes,"* approved March twenty-sixth, one thousand eight hundred and four.

Secretary of the Treasury authorized, &c. to set apart and reserve from sale, out of any of the public lands within the Territory of Michigan, a quantity of land, not exceeding two entire townships, for the use and support of an university therein.

*See chap. 69.

Approved, May 20, 1826.

CHAP. 337.—An act granting certain grounds in the city of Detroit to the mayor, recorder, aldermen, and freemen, of that city.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the right and claim of the United States in and to the public grounds within the limits of the city of

Certain public grounds in the city of Detroit, vested in the mayor, &c. of said city.

Detroit, heretofore occupied for military purposes, excepting as hereinafter provided, be, and the same are hereby, granted to and vested in the mayor, recorder, aldermen, and freemen, of the city, for the use of said freemen: *Provided*, There be reserved and excepted from this grant the following lots: one lot, upon which the public store-house is situate, bounded one hundred and fifty feet in front upon Jefferson avenue, and extending the same width to the channel of the river; one other lot, upon which the public arsenal is situate, containing one hundred and fifty feet front upon Jefferson avenue, and extending the same width, by parallel lines at right angles with said avenue, in a north-western course, two hundred feet; and one other lot, upon which the building occupied by the military store-keeper is situate, containing one hundred and twenty-five feet in front upon Jefferson avenue, and extending back, in a north-western direction, by parallel lines, at right angles with that avenue, two hundred feet: *And provided, also*, That the grant expressed in this act shall not take effect until the said mayor, recorder, aldermen, and freemen, in their corporate capacity, shall have secured to the United States a sum of money, to be expended under the direction of the Secretary of War, sufficient for the erection of a magazine, at a place without the limits of the city, to be designated by the War Department.

Approved, May 20, 1826.

Proviso; following lots to be reserved.
Proviso; mayor, &c., before such grant shall take effect, to secure to the U. States a sum of money sufficient to raise a magazine without the limits of said city.

CHAP. 338. An act supplementary to "An act providing for the disposition of three several tracts of land in Tuscarawas county, in the State of Ohio, and for other purposes," passed the twenty-sixth of May, one thousand eight hundred and twenty-four.*

*See original act, chapter 306.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to adopt such measures as, in his judgment, the interests of the United States and the parties concerned may require, for the purpose of carrying into full and complete effect the provisions of the act to which this is a supplement, and the intentions of Congress, as expressed in said act.

Approved, May 20, 1826.

The provisions of the act, to which this is a supplement, to be carried into effect.

[See Part II, No. 305.]

CHAP. 339.—An act declaring valid and legalizing certain sales of land in the State of Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress*

assembled, That the sales of lands lying in Monroe county, in the State of Mississippi, which have been sold at the land offices of Huntsville and Tuscaloosa, since the thirtieth of October, eighteen hundred and twenty-two, are hereby legalized and declared valid, as though made at the proper land offices; and that patents be issued for them, in the same manner as for other lands sold at the land offices at Huntsville and Tuscaloosa.

Approved, May 20, 1826.

Lands lying in Monroe county, Mississippi, which have been sold since the 30th Oct. 1822, legalized, &c.

Patents to issue for them.

CHAP. 340.—An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office.*

*Further extended, chap. 385.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers of the Virginia line

on the continental establishment, their heirs or assigns, entitled to bounty lands within the tract of country reserved by the State of Virginia, between the Little Miami and Scioto rivers, shall be allowed until the first day of June, eighteen hundred and twenty-nine, to obtain warrants, and until the first day of June, eighteen hundred and thirty-two, to complete their locations, and until the first day of June, eighteen hundred and thirty-three, to return their surveys and warrants, or certified copies thereof, to the Commissioner of the General Land Office, and to obtain patents: *Provided*, That no location shall be made by virtue of any warrant obtained after the first day of June, eighteen hundred and twenty-nine, and no patent shall issue in consequence of any location made after the first day of June, eighteen hundred and thirty-two: *And provided, also*, That no patent shall be obtained, on any such warrant, unless there be produced, to the Secretary of War, satisfactory evidence that such warrant was granted for services which, by the laws of Virginia, passed prior to the cession of the Northwestern Territory, would have entitled such officer or soldier, his heirs or assigns, to bounty lands; and also a certificate of the register of the land office of Virginia, that no warrant has issued from the said land office for the same services.

Officers, &c. of the Virginia line on continental establishment, &c., entitled to bounty lands, to be allowed until 1st June, 1829, to obtain warrants, &c.

Proviso; no location to be made after the 1st of June, 1829, and no patent to issue after 1st June, 1832.

Proviso; no patent to be obtained, on any warrant, unless there be produced to the Secretary of War evidence that such warrant was granted for services rendered.

SEC. 2. *And be it further enacted*, That no patent shall be issued, by virtue of the preceding section, for a greater quantity of land than the rank, or term of service, of the officer or soldier to whom or to whose heirs or assigns such warrant has been granted, would have entitled him to, under the aforesaid laws of Virginia; and whenever it appears to the Secretary of War that the survey made by virtue of any of the aforesaid warrants is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on each survey, the amount of such surplus quantity, and the officer or soldier, his heirs

No patent to be issued, by virtue of the preceding section, for a greater quantity of land than the rank, or term of service, of the officer, &c. to whom, or to whose heirs or assigns, such warrant has been granted, would have entitled him to under the aforesaid laws of Virginia, &c.

or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey, and a patent shall issue upon such resurvey, as in other cases.

No holder of any warrant to be permitted to withdraw or remove the same, and locate it in any other land, except in cases of eviction, &c.

SEC. 3. *And be it further enacted,* That no holder of any warrant which has been or may be located shall be permitted to withdraw or remove the same, and locate it on any other land, except in cases of eviction, in consequence of a legal judgment first obtained, from the whole or a part of the located land, or unless it be found to interfere with a prior location and survey: nor shall any lands heretofore sold by the United States, within the boundaries of said reservation, be subject to location, by the holder of any such unlocated warrant: *Provided,* That no location shall, after the passage of this act, be made on lands for which patents had previously issued, or which had been previously surveyed; nor shall any location be made on lands lying west of Ludlow's line; and any patent which, nevertheless, may be obtained, contrary to the provisions of this section, shall be null and void.

Provided; no location, after the passage of this act, to be made on land for which patents have been previously issued, &c.

Approved, May 20, 1826.

[See Part II, Nos. 2, 35, 37, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237.]

CHAP. 341.—An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall and may be lawful for any soldiers in the late war, or their heirs, to whom bounty lands have been patented, or may hereafter be patented, in the Territory of Arkansas, and which land is unfit for cultivation, and who have removed or shall hereafter remove to the said Territory, with a view to actual settlement on the lands by them drawn—in all such cases, where it shall be made to appear, in such manner as the Commissioner of the General Land Office shall direct, to the satisfaction of the register and receiver of the proper district, that the land patented to them is unfit for cultivation, and on the surrender of the patent to them granted, accompanied with such a release of their interest as the Commissioner of the General Land Office shall prescribe, such soldier, or his heirs, may locate and enter with the register of the land office, for the proper district, in the Territory of Arkansas, according to the sectional and divisional lines, the like quantity on any of the unappropriated public lands in the military district in said Territory; and upon such entry and location being made, it shall be the duty of the register to issue to the person so locating a certificate, specifying the quarter or half section of land so loca-

Soldiers, or their heirs, to whom bounty lands have been patented, in Arkansas, unfit for cultivation, to receive, in exchange, a like quantity on any of the unappropriated lands in the military district in said Territory.

Duty of the register to give a certificate of the lands so located and entered.

ted and entered ; and it shall be the duty of the Commissioner of the General Land Office, if he is satisfied such certificate was fairly obtained, to issue a patent for the lands so located, whenever the certificate aforesaid shall be presented to him for that purpose : *Provided*, That, before such certificate of location shall be granted, the applicant shall satisfy the register and receiver that his interest in the land originally patented to him has not been divested, either by his own acts, or by the operation of law, for taxes or otherwise : *And provided, also*, That such surrender and relocation shall be made on or before the first day of January, eighteen hundred and thirty. But if said interest shall have been divested in either mode above mentioned, no title shall be acquired to the land subsequently patented.

Approved, May 22, 1826.

[See Part II, Nos. 327, 335.]

CHAP. 342.—An act concerning the selection of certain lands heretofore granted by compact, to the State of Missouri, for seminaries of learning.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the President of the United States, as soon as may be, to cause to be selected, from any of the public lands of the United States in Missouri, the sale of which is authorized by law, and in quantities not less than a section, according to the divisional lines of the public surveys, the several townships of land heretofore secured by compact to the State of Missouri, for the purposes of a seminary or seminaries of learning in that State, and to cause one descriptive list of such selections to be filed with the Governor of Missouri, in the office of the Secretary of that State ; and another like list to be filed in the General Land Office of the United States ; and the lands so selected shall, immediately thereupon, vest in the State of Missouri, according to, and in satisfaction of, the above-mentioned compact with the United States.

Approved, January 24, 1827.

Certain lands in Missouri to be selected for seminaries of learning.

Lands selected, &c.

CHAP. 343.—An act for the relief of Phineas Underwood, and for other purposes.*

SEC. 1.†

SEC. 2. *And be it further enacted*, That the time for filing petitions under the provisions of an act entitled "An act enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims,"‡ shall be, and the same is hereby, extended to the twenty-sixth day of

*See chap. 306, ante.

†Private.

Time of filing petitions extended to 26th May, 1828.

‡Chapter 306.

May, in the year one thousand eight hundred and twenty-eight.

Approved, May 22, 1826.

[See Part II, Nos. 19, 704.]

CHAP. 344.—An act to provide for the location of the two townships of land reserved for a seminary of learning in the Territory of Florida, and to complete the location of the grant to the Deaf and Dumb Asylum of Kentucky.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the township of land reserved in the district of East Florida, by an act of Congress, approved the third day of March, one thousand eight hundred and twenty-three,* for a seminary of learning, shall be located east of the Appalachian river, and may be located in sections corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, so as not to interfere with private land claims or the rights of pre-emption; and the township located west of the Appalachian river, as directed in the aforesaid act, so far as it is covered by the claims of those entitled to the right of pre-emption, by the act approved the twenty-second of April, one thousand eight hundred and twenty-six,† shall be located in sections upon any unappropriated lands in said district of country, until the amount taken by said interferences shall be satisfied and discharged.

The township of land reserved for a seminary of learning, in the district of East Florida, by act of 3d March, 1823, to be located east of the Appalachian river, &c.

*See chap. 281.

†See chap. 287.

Power given to the Governor, &c. to lease the same.

Money arising from the rent of said lands, to be appropriated to the use of schools, &c.

Legislative Council to have power to pass laws for the preservat'n of said lands from intrusion, &c.

Location of the grant to the Deaf and Dumb Asylum of Kentucky.

SEC. 2. *And be it further enacted,* That the Governor and Legislative Council of said Territory shall have power to take possession of the lands granted for the use of schools and for a seminary of learning, and to lease the same from year to year; and the money arising from the rent of said lands shall be appropriated to the use of schools, and the erection of a seminary of learning, in such manner as they may direct; and they shall have power to pass laws for the preservation of said lands from intrusion and trespass until Florida shall be admitted into the Union as a State.

SEC. 3. *And be it further enacted,* That the incorporated Deaf and Dumb Asylum of Kentucky shall have the power, under the direction of the Secretary of the Treasury, of locating so much of the township of land granted to the said institution as has been taken by the claims of those who are entitled to the right of pre-emption in the Territory of Florida, under the provisions of the act aforesaid; which shall be located in sections upon any unappropriated and unreserved lands in either of the Territories of Florida or Arkansas; which said tracts, when so located, shall be disposed of to the corporation of said Deaf and Dumb Asylum, agreeably to the provisions of an act, passed the fifth of April, one thousand eight hundred and twenty-six, entitled "An

act for the benefit of the incorporated Deaf and Dumb Asylum of Kentucky.”

Approved, January 29, 1827.

[See Part II, Nos. 276, 692, 693, 802.]

CHAP. 345.—An act to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the decisions made by the commissioners appointed to ascertain claims and titles to land in the district of East Florida, and those recommended for confirmation, under the quantity of three thousand five hundred acres, in favor of claimants to lands and lots, contained in the reports, abstracts, and opinions, of said commissioners, which have been transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the twenty-first of February, eighteen hundred and twenty-five, and the twenty-first of February, eighteen hundred and twenty-six, be, and the same are hereby, confirmed.

Decisions made by the commissioners appointed to ascertain claims, &c. to land in E. Florida, contained in their reports, &c. transmitted to the Secretary of the Treasury on 21st Feb. 1825, and 21st Feb. 1826, confirmed.

SEC. 2. *And be it further enacted,* That all the conflicting Spanish claims, reported in obedience to the fourth section of an act of Congress, approved May the eighth, eighteen hundred and twenty-two, entitled “An act for ascertaining claims and titles to lands in the Territory of Florida,”* be, and the same are hereby, confirmed: *Provided,* That this confirmation shall only operate as a relinquishment of the title of the United States: *Provided, further,* That nothing in the foregoing sections shall be construed to prevent or bar the judicial decision between persons claiming titles to the lands confirmed.

Certain conflicting Spanish claims confirmed.

*Chap. 274. *Provided;* confirmation to operate only as a relinquishment of title of the U. States.

Provided; not to be construed, &c.

SEC. 3. *And be it further enacted,* That the commons in the city of St. Augustine be, and the same are hereby, confirmed to the corporation of said city, to the same extent that they were used, claimed, and enjoyed, under the Spanish Government. And the Parochial church and burying ground, in possession of the Roman Catholic congregation, are confirmed to them; and the old Episcopal church lot is, hereby, relinquished and confirmed to the incorporated Episcopal church of St. Augustine: *Provided, always,* That the grants in this section specified shall forever inure to the purposes for which they are confirmed, and shall not be alienated without the consent of Congress.

Commons in the city of St. Augustine, confirmed to the corporation of said city.

Parochial church, confirmed to the Roman Catholic congregation, and the old Episcopal church lot, to the Episcopal church of St. Augustine.

Provided; grants shall forever inure to the purposes for which confirmed.

SEC. 4. *And be it further enacted,* That it shall be the duty of the secretary of the late board of commissioners to deliver over to the receiver and register to be appointed for the district of East Florida, all records, evidence, and papers, in the possession of said board, relating to claims and titles to land in said district; and it shall be the duty of said

Duty of the secretary of the late board of commissioners.

Duty of the register and receiver.

receiver and register to examine and decide all claims and titles to land in East Florida, not heretofore decided by the late board of commissioners, subject to the limitations and in conformity with the provisions of the several acts of Congress providing for the adjustment of private land claims in Florida.

Claimants to lands whose claims have not been heretofore decided on, or filed, to file them at any time before 1st Nov. next.

SEC. 5. *And be it further enacted*, That the several claimants to land in said district, whose claims have not been heretofore decided on or filed before the late board of commissioners, be permitted to file their claims, and the evidence in support of them, with the register and receiver of said district, and evidence in support of those filed before said board, at any time before the first of November next; whose duty it shall be to report the same, with their decision thereon, and those already filed, to the Secretary of the Treasury, on or before the first day of January, one thousand eight hundred and twenty-eight, to be laid before Congress at the next session.

Receiver and register to receive, each, as an annual compensation, 1,500 dolls. and to appoint a clerk, whose salary shall be 1,000 dolls.

SEC. 6. *And be it further enacted*, That the receiver and register shall have power to appoint a clerk, and prescribe his duties; and the receiver and register shall each be entitled to receive the sum of fifteen hundred dollars per annum, to be paid quarterly, out of any money in the Treasury not otherwise appropriated, as a full compensation for the performance of their duties as receiver and register, and the additional duties required by this act, and shall not be allowed any other fees or commissions whatever; and the clerk appointed by them shall be allowed the sum of one thousand dollars, to be paid quarterly, out of any money in the Treasury not otherwise appropriated.

Keep'rs of the public archives to furnish to the surveyor of public lands in Florida, a description of each claim to land confirmed, which shall specially designate the quantity, &c. of such claim.

SEC. 7. *And be it further enacted*, That the keepers of public archives of East and West Florida shall furnish to the surveyor of public lands in Florida, without delay, a description of each claim to land which shall have been confirmed, which shall specially designate the quantity, locality, and connexion, of such claim; and, where the confirmation may have been made on a grant or survey, a copy of the courses and distances contained in such grant or survey, and the date of the survey or grant; and it shall be the duty of the surveyor of the public lands in Florida to cause, under such instructions as he may receive from the Treasury Department, the said claims to be surveyed and connected with the township lines of the public surveys, and to give to them their proper township and sectional numbers, agreeably to such descriptions; and he shall make separate plats and certificates of survey of the same, one of which shall be returned to the office of the register of the land office for the district in which the land may lie, and the other shall be delivered to the claimant. But it shall be the duty of the surveyor to withhold his certificate, if he shall have reason to believe that the lands claimed are other lands than those intended to be confirmed; or if it shall appear that the survey

Duty of the surveyor.

Separate plats, &c. of survey to be made, &c.

under which the land is claimed has been made subsequent to the date of the survey under which the claim was confirmed.

SEC. 8. *And be it further enacted*, That, so soon as the said tracts of land shall have been thus surveyed, and the surveys thereof returned to the office of the proper register, it shall be the duty of the said register to issue certificates in favor of the claimants entitled thereto; and if it shall appear, to the satisfaction of the Commissioner of the General Land Office, that the certificates have been fairly obtained, and correspond with the transcripts transmitted to the Secretary of the Treasury, and the plats returned by the surveyor, patents shall be granted, in like manner as is provided by law for the other public lands of the United States.

Duty of the register to issue certificates in favor of claimants, &c.

SEC. 9. *And be it further enacted*, That the surveyor of the public lands shall designate on the township plats the claims for which he shall have refused to issue his certificates of survey.

Duty of the surveyor.

SEC. 10. *And be it further enacted*, That the expense of surveying all claims founded on surveys or grants shall be paid by the United States: *Provided*, The same shall not exceed four dollars per mile, for every mile actually run and marked.

Expense of surveying to be paid by the U. States.

Provided; not to exceed 4 dolla. per mile.

SEC. 11. *And be it further enacted*, That no patent shall issue, without the consent of the parties, for lands the claims to which may have been confirmed on surveys which interfere with each other, until a legal decision shall have been had on the same.

No patent to issue without the consent of the party.

SEC. 12. *And be it further enacted*, That the holders of claims over three thousand five hundred acres, which have been filed with the commissioners, or with the register and receiver of the land office for West Florida, acting as commissioners, for adjudicating on claims, or of claims which have been filed with the commissioners for adjudicating claims to land in East Florida, or which, under the provisions of this act, may be filed with the register and receiver of the land office for East Florida, and which claims have not been reported against by the said commissioners, or by the register and receiver, shall cause the same to be so connected with the township lines of the public surveys, and shall furnish to the surveyor of the public lands in Florida such information as will enable him to exhibit, accurately, the said claims on his township plats, and the lands thus claimed shall be reserved from sale: *Provided*, The information required to enable the surveyor to exhibit them on the township plats shall have been furnished to him within one year after the lines of the townships, within which such claims may lie, shall have been run; or, where the township lines have already been run, within one year from the passage of this act.

Course to be pursued by the holders of claims over 3,500 acres.

SEC. 13. *And be it further enacted*, That it shall be the duty of the register and receiver at Tallahassee to de-

Duty of the register and receiver.

liver over to the keeper of the public archives of West Florida all the records and papers of the late board of commissioners for West Florida; and it shall be the duty of the register and receiver of the land office for East Florida to deliver to the keeper of the public archives of East Florida all the records and papers of the late board of commissioners for East Florida, relating to claims confirmed by this act.

The Governor and Legislative Council to sell one of the reserved quarter sections of land near Tallahassee, and apply the proceeds to the erection of public buildings.

SEC. 14. *And be it further enacted,* That it shall be lawful for the Governor and Legislative Council to sell one of the reserved quarter sections of land, near Tallahassee, and apply the proceeds to the erection of public buildings; and it shall be lawful for them to reserve such portion of the quarter section to the town of Tallahassee, contiguous to the creek and waterfall, as may, in their opinion, contribute to the health and convenience of the inhabitants; and they shall have power to pass laws for the preservation of, and expulsion from, the other two reserved quarter sections, all intruders, and to abate all nuisances; which said two reserved quarter sections shall be reserved for, and vested in, the State, should that Territory ever be erected into one.

Persons whose improvements were included in the reserves made to certain Indian chiefs, in the treaty of 18th Sept. 1823, entitled to a pre-emption to the same quantity of land.

SEC. 15. *And be it further enacted,* That the three persons whose improvements were included in the reserves made to certain Indian chiefs, in the treaty with the Florida Indians of the eighteenth of September, one thousand eight hundred and twenty-three, shall be entitled to a pre-emption to the same quantity of land, in said district, upon the same terms and conditions as other pre-emptions, to be located under the direction of the receiver and register, upon the production of proof that they would have been entitled to the provisions of the act granting the right of pre-emption, if the reserves had not been made.

Approved, February 8, 1827.

[See Part II, Nos. 19, 823, 830, 838, 850, 853, 857, 864, 870, 872, 875, 878, 888, 891, 895, 896, 897, 934, 951, 957, 959.]

CHAP. 346.—An act to authorize the President of the United States to remove the land office in the Choctaw district, in the State of Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall and may be lawful for the President of the United States, whenever he shall deem it proper, to remove the land office now located at Jackson, in the Choctaw land district, in the State of Mississippi, and to locate and establish the same at any other convenient and suitable place within the said land district. And it shall be the duty of the register and receiver of said land office, so soon as the removal shall be ordered, and such new location made by the President, to remove all the records, books, and

The President to remove the land office in the Choctaw land district, Mississippi, and to establish the same at any other convenient place within the same land district.

Duty of the register.

papers, appertaining to said land office, to the place designated.

Approved, February 22, 1827.

[See Part II, No. 64.]

CHAP. 347.—An act supplementary to “An act to perfect certain locations and sales of the public lands in Missouri,”* passed April the twenty-sixth, one thousand eight hundred and twenty-two. *See chap. 265.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the locations of lands heretofore made according to law, by virtue of warrants issued under the act of Congress, passed the seventeenth day of February, one thousand eight hundred and fifteen,† for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes, in lieu of lots and out-lots in and adjacent to the villages of New Madrid and Little Prairie, and not exceeding six hundred and forty acres in the whole to any one sufferer, shall be perfected into grants in the manner prescribed by the last-mentioned act of Congress; any construction thereof to the contrary notwithstanding.

Approved, March 2, 1827.

[See Part II, Nos. 10, 11, 12, 15, 17, 23, 62, 695.]

The locations of lands heretofore made according to law, by virtue of warrants issued under the act of Congress, of Feb. 17, 1815, for the relief of the inhabitants of the late county of New Madrid, to be perfected into grants.

†See chap. 174.

CHAP. 348.—An act to extend the time of issuing and locating military land warrants to officers and soldiers of the revolutionary army.‡

‡Further extended; chap. 402, § 6.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time limited by the second section of the act, approved the twenty-fourth day of February, one thousand eight hundred and nineteen,§ for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended till the fourth day of March, one thousand eight hundred and thirty; and the time for locating the unlocated warrants shall be extended till the first day of October thereafter.

Approved, March 2, 1827.

[See Part II, No. 2.]

Time of issuing and locating military land warrants extended to the term of three years, &c., unlocated warrants until 1st of Oct. thereafter.

§See chap. 226.

CHAP. 349.—An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois river with those of Lake Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*
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A certain quantity of land to be allowed the State of Illinois, for opening a canal to unite the waters of the Illinois river with those of Lake Michigan.

sembled, That there be, and hereby is, granted to the State of Illinois, for the purpose of aiding the said State in opening a canal to unite the waters of the Illinois river with those of Lake Michigan, a quantity of land equal to one half of five sections in width on each side of said canal, and reserving each alternate section to the United States, to be selected by the Commissioner of the Land Office, under the direction of the President of the United States, from one end of the said canal to the other; and the said lands shall be subject to the disposal of the Legislature of the said State, for the purpose aforesaid, and no other: *Provided*, That the said canal, when completed, shall be, and forever remain, a public highway for the use of the Government of the United States, free from any toll, or other charge whatever, for any property of the United States, or persons in their service, passing through the same: *Provided*, That said canal shall be commenced within five years, and completed in twenty years, or the State shall be bound to pay to the United States the amount of any lands previously sold, and that the title to purchasers under the State shall be valid.

Proviso; said canal, when completed, to be a public highway for the use of the Government of the United States.

Proviso; said canal to be commenced within five years, and completed in twenty.

Duty of the Governor of said State, when the canal is located and agreed on by the State.

SEC. 2. *And be it further enacted*, That, so soon as the route of the said canal shall be located and agreed on by the said State, it shall be the duty of the Governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular sections to which the said State will be entitled, under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

Power given to the Legislature.

SEC. 3. *And be it further enacted*, That the said State, under the authority of the Legislature thereof, after the selection shall have been so made, shall have power to sell and convey the whole, or any part of the said land, and to give a title in fee simple therefor, to whomsoever shall purchase the whole or any part thereof.

Approved, March 2, 1827.

CHAP. 350.—An act to authorize the State of Indiana to locate and make a road therein named.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the General Assembly of the State of Indiana shall be, and the same are hereby, authorized to locate and make a road from Lake Michigan, by the way of Indianapolis, to some convenient point on the Ohio river, agreeably to the second article of a treaty made and concluded near the mouth of the Mississinowa, upon the Wabash, in the State of Indiana, the sixteenth day of October, in the year of our Lord one thousand eight hundred and twenty-six, between

General Assembly of the State of Indiana authorized to locate and make a road from Lake Michigan, by the way of Indianapolis, to some convenient point on the Ohio river.

the commissioners on the part of the United States and the chiefs and warriors of the Pottawatamie tribe of Indians; and the said General Assembly are hereby authorized to apply the strip of land, and the sections of land, by said article ceded to the United States, or the proceeds thereof, to the making of the same; and the said grant shall be at their sole disposal.

Approved, March 2, 1827.

CHAP. 351.—An act concerning a seminary of learning in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Arkansas, to which the Indian title has been or may be extinguished, and not otherwise appropriated, a quantity of land not exceeding two entire townships, for the use and support of a university within the said Territory, and for no other use or purpose whatsoever; to be located in tracts of land of not less than an entire section, corresponding with any of the legal divisions into which the public lands are authorized to be surveyed; one of which said townships, so set apart and reserved from sale, shall be in lieu of an entire township of land directed to be located on the waters of the Arkansas river, in said Territory, for the use of a seminary of learning therein, by an act of Congress entitled "An act making provisions for the establishment of additional land offices in the Territory of Missouri,"* approved February the seventeenth, one thousand eight hundred and eighteen.

Secretary of the Treasury to set apart, &c. a certain quantity of land, out of the public lands within the Territory of Arkansas, for the use of a university.

*See chap. 209.

Approved, March 2, 1827.

CHAP. 352.—An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash river with those of Lake Erie.†

†See chap. 474.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, granted to the State of Indiana, for the purpose of aiding the said State in opening a canal to unite at navigable points the waters of the Wabash river with those of Lake Erie, a quantity of land equal to one half of five sections in width, on each side of said canal, and reserving each alternate section to the United States, to be selected by the Commissioner of the Land Office, under the direction of the President of the United States, from one end thereof to the other; and the said lands

A certain quantity of land granted to said State of Indiana, for opening a canal to unite, at navigable points, the waters of the Wabash river with those of Lake Erie.

Said canal, when completed, to be a public highway for the use of the Government of the U. States.

Proviso; said canal to be commenced within five, and completed in 20 years.

Duty of the Governor of said State, when the canal is located and agreed on by the State.

Power given to the Legislature.

shall be subject to the disposal of the Legislature of said State, for the purpose aforesaid, and no other: *Provided*, That the said canal, when completed, shall be, and forever remain, a public highway for the use of the Government of the United States, free from any toll, or other charge whatever, for any property of the United States, or persons in their service, passing through the same: *Provided*, That said canal shall be commenced within five years, and completed in twenty years, or the State shall be bound to pay to the United States the amount of any lands previously sold, and that the title to purchasers under the State shall be valid.

SEC. 2. *And be it further enacted*, That, so soon as the route of the said canal shall be located and agreed on by the said State, it shall be the duty of the Governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular lands to which the said State will be entitled under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

SEC. 3. *And be it further enacted*, That the said State, under the authority of the Legislature thereof, after the selection shall have been so made, shall have power to sell and convey the whole or any part of the said land, and to give a title in fee simple therefor, to whomsoever shall purchase the whole or any part thereof.

Approved, March 2, 1827.

[See Part II, Nos. 337, 338, 403, 405, 407, 417.]

CHAP. 353.—An act to authorize the Legislature of the State of Alabama to sell the lands heretofore appropriated for the use of schools in that State.

Legislature of the State of Alabama authorized to sell, &c. in fee simple, all or any part of the lands heretofore reserved by Congress for the use of schools within said State, &c.

Proviso; said land not to be sold without consent.

Proviso; manner in which the apportionment of the proceeds of said fund is to be disposed of.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Legislature of the State of Alabama shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said State, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said Legislature, for the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, Said land, or any part thereof, shall in no case be sold without the consent of the inhabitants of such township or district, to be obtained in such manner as the Legislature of said State shall by law direct: *And provided, also*, That, in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part

thereof, and no more, 'as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district from said fund shall be insufficient for the support of schools therein, it shall be lawful for said Legislature to invest the same as is hereinbefore directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

Where the proceeds accruing to any one township or district are insufficient for the support of schools therein.

Approved, March 2, 1827.

CHAP. 354.—An act to authorize the sale of certain tracts of land in the State of Ohio, commonly called Moravian land.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the several lots of land lying in the Salem, Gnadenhutten, and Shoenbrun tracts of land, which have been valued at more than one dollar and twenty-five cents per acre, may be offered at public sale, at such time as the President of the United States may think expedient, and sold as other public lands of the United States.

Certain lots lying in the Salem, Gnadenhutten, and Shoenbrun tracts of land, to be offered at public sale.

Approved, March 2, 1827.

CHAP. 355.—An act supplementary to the several acts providing for the adjustment of land claims in the State of Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claimants of lands, town lots, or out-lots, within that part of the limits of the former land district of Jackson Court-house, which is embraced in the State of Alabama, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands in said district of Jackson Court-house, or to the register and receiver of the land office at Jackson Court-house, acting as commissioners under the provisions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices, in the district east of the island of New Orleans,"* and which have not been reported to Congress, or whose claims have not heretofore been presented to the said commissioners, or to the register and receiver, acting as commissioners, or whose claims have been acted upon, but additional evidence adduced, be allowed until the first day of September, eighteen hundred and twenty-seven, to present their titles and claims, and the evidence in support of the same, to the register and receiver of the land

Claimants of lands, &c. within that part of the limits of the former land district of Jackson Court-house, whose claims have not been reported to Congress, allowed until 1st Sept. 1827, to present their titles, &c.

*See chap. 236.

office at St. Stephen's, in the State of Alabama, whose powers and duties in relation to the same shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans."*

*See chap. 273.

Power given to the register and receiver.

SEC. 2. *And be it further enacted,* That the said register and receiver shall have power to receive and examine such titles and claims, and for that purpose shall hold their sessions at the city of Mobile; they shall give suitable notice of the time and place of their sessions, but may adjourn from time to time, and meet at such other places as may be necessary, or may best suit the convenience of the claimants, on giving proper notice of the time of their adjournments. And the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, and such other duty as may be required by the said register and receiver; and the said register and receiver shall each be allowed, as a compensation for their services in relation to said claims, and for the services to be performed under the provisions of the several acts to which this is a supplement, at the rate of one thousand dollars per annum; and the clerk at the rate of one thousand dollars per annum; which several sums of money shall be paid out of any moneys in the Treasury not otherwise appropriated:

Provided, no more than 1 year's compensation to be allowed either the register, receiver, or clerk.

Provided, That no more than one year's compensation shall be thus allowed to either the register, or receiver, or clerk; and the payment of the whole of the aforesaid compensation shall be withheld by the Secretary of the Treasury until a report, to be approved by him, shall have been made to him of the performance of the services for which the same is allowed.

Duty of the register and receiver of the land office at Augusta, in Mississippi.

SEC. 3. *And be it further enacted,* That the register and receiver of the land office at Augusta, in the State of Mississippi, be, and they are hereby, required to separate, so far as practicable, from the titles to lands in Mississippi, all such papers or claims, or evidence of claims, for any tract of land or town lot, lying in the State of Alabama, and certify the same, generally, to the register of the land office at St. Stephen's, in the State of Alabama; and, on proper application, to deliver them over to the said register, whose duty it shall be to receive the same, and preserve them among the records of his office.

Approved, March 8, 1827.

[See Part II, Nos. 398, 684, 698, 718, 720.]

CHAP. 356.—An act to grant a certain quantity of land to the State of Ohio, for the purpose of making a road from Columbus to Sandusky.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and are hereby, appropriated to the State of Ohio, for the purpose of aiding the Columbus and Sandusky Turnpike Company in making a road from Columbus to Sandusky city, the one half of a quantity of land equal to two sections, on the western side of said road, and most contiguous thereto, to be bounded by sectional lines, from one end of said road to the other, wheresoever the same may remain unsold; reserving to the United States each alternate section the whole length of said road through the lands of the United States, to be selected by the Commissioner of the General Land Office, under the direction of the President: *Provided*, That no toll shall at any time be collected of any mail stage, nor of any troops or property of the United States.

A quantity of land granted to the State of Ohio, for the purpose of aiding the Columbus and Sandusky Turnpike Company in making a road from Columbus to Sandusky city.

Provided, no toll to be collected of any mail stage, &c.

Approved, March 3, 1827.

[See Part II, No. 346.]

CHAP. 357.—An act granting to the corporation of the city of Mobile the right of preference in purchase of four sections of land, or a quantity equal to four sections, at or near Spring Hill, in the county of Mobile.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the register and receiver of the land office at St. Stephen's be, and they are hereby, authorized and directed to receive from the corporation of the city of Mobile the sum of one dollar and twenty-five cents per acre, for a quantity of land, not exceeding four sections, at or near Spring Hill, in the county of Mobile, and State of Alabama; and, upon the receipt of said sum as aforesaid, the said register and receiver shall issue their certificate to, and in the name of, the corporation of the city of Mobile, for the said quantity of land, not exceeding four sections, as aforesaid.

Register and receiver at St. Stephen's directed to receive from the corporation of the city of Mobile \$1 25 cts. per acre, for a certain quantity of land, &c.

SEC. 2. *And be it further enacted*, That for and in consideration of the sum aforesaid, paid as aforesaid, that all the right and claim of the United States to the said quantity of land, not exceeding four sections, in the county of Mobile, and State aforesaid, be, and the same is hereby, vested in the mayor and aldermen of the said city of Mobile, for the time being, and their successors in office, to be applied or disposed of by them, for the sole use and benefit of the said city, forever: *Provided*, That no part of any claim arising from acts of Congress, known as donations or pre-emptions by the reported list of actual settlers, or from grants recognized by any treaty, shall be covered or taken by this grant,

In consideration of the sum paid as aforesaid, the United States to relinquish their title &c.

Provided, claims arising from acts of Congress, known as donations, &c. to be excepted from this act.

but the same shall be excepted from and held as not covered or interfered with by this act.

Patents to issue for said quantity of land.

SEC. 3. *And be it further enacted*, That patents shall issue, upon the presentation of said certificate of the register and receiver aforesaid, for the said quantity of land, not exceeding four sections, to the corporation of the city of Mobile, in the same manner that patents now issue upon the final certificate for other public lands.

Approved, March 3, 1827.

CHAP. 358.—An act concerning the location of land reserved for the use of a seminary of learning in the State of Louisiana.

Secretary of the Treasury to locate a certain quantity of land, for a seminary of learning, in Louisiana.

*See chap. 84.

†See chap. 116.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to locate a quantity of land, not exceeding two entire townships, reserved by the eleventh section of the act of the twenty-first April, eighteen hundred and six,* and by the seventh section of the act of the third of March, eighteen hundred and eleven,† for the use of a seminary of learning in the State of Louisiana, on any of the public lands in said State, in sections corresponding with any of the legal divisions into which the public lands are authorized to be surveyed.

When the location is made, the title is to be vested in said State.

SEC. 2. *And be it further enacted*, That, so soon as the location of said lands shall be made as aforesaid, the title thereto shall be, and is hereby, vested in the State of Louisiana, for the use of a seminary or seminaries of learning therein, as the Legislature of said State may direct.

Approved, March 3, 1827.

CHAP. 359.—An act granting the right of preference in the purchase of public lands to certain settlers in the St. Helena land district, in the State of Louisiana.

Certain persons entitled to the right of preference on becoming purchasers from the United States of land.

‡See chap. 226.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person, his or her legal representatives, comprised in the list of actual settlers reported to the Commissioner of the General Land Office by the register for the district of St. Helena, in the State of Louisiana, under the authority of the act of Congress entitled "An act for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans,"‡ approved the third day of March, one thousand eight hundred and nineteen, or who did actually inhabit and cultivate a tract of land in said district on the third day of March, one thousand eight hundred and nineteen, not rightfully claimed by any

other person, by virtue of any written evidence of claim, legally derived from either the French, British, or Spanish Government, or granted as a donation by virtue of any act of Congress heretofore passed, shall be entitled to a right of preference, on becoming the purchaser, from the United States, of such tract of land, at the same price for which other public lands are sold at private sale: *Provided*, That such tract of land shall not contain more than one quarter section, to be located by sectional lines; and that the same shall be entered with the register of the land office in said district within two years, or before, if the same shall be offered at public sale.

Proviso; as to quantity and location.

Approved, March 19, 1828.

CHAP. 360.—An act to revive and continue in force the several acts making provision for the extinguishment of the debt due the United States by the purchasers of the public lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled “An act to provide for the extinguishment of the debt due the United States by the purchasers of public lands,”* approved May the eighteenth, one thousand eight hundred and twenty-four, and the act entitled “An act explanatory of an act to provide for the extinguishment of the debt due the United States by the purchasers of public lands,” approved May the twenty-sixth, one thousand eight hundred and twenty-four;† and also the act entitled “An act making further provision for the extinguishment of the debt due to the United States by the purchasers of public lands,”‡ approved May the fourth, one thousand eight hundred and twenty-six, be, and the same are hereby, revived and continued in force until the fourth day of July, one thousand eight hundred and twenty-nine.

Certain acts making provis'n for the extinguishment of the debt, by purchasers of public lands, continued in force until July 4, 1829.

*See chap. 205.

†See chap. 305.

‡See chap. 330.

SEC. 2. *And be it further enacted*, That the provisions of this act be, and the same are hereby, extended to all lands on which a further credit has not been taken, and which, having become forfeited to the United States since the first of July, one thousand eight hundred and twenty, remain unsold.

The provisions of this act extended to all lands.

Approved, March 21, 1828.

[See Part II, Nos. 301, 324, 344, 347, 348, 356, 357, 358, 370.]

CHAP. 361.—An act to confirm certain claims to lands in the Territory of Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Certain claims confirmed.

sembled, That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect the "Act to revive the powers of the commissioners for ascertaining and deciding on claims to lands in, and for settling the claims to lands at, Green Bay and Prairie du Chien, in the Territory of Michigan,"* passed on the eleventh day of May, one thousand eight hundred and twenty, which are contained in volumes two, four, and five, be, and the same are, confirmed.

*See chap. 243.

SEC. 2. *And be it further enacted*, That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan,"† passed the twenty-first of February, one thousand eight hundred and twenty-three, which are contained in volumes one, three, six, eight, and nine, of said reports be, and the same are hereby, confirmed.

†See chap. 276.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury, under the direction of the President of the United States, be, and he is hereby, authorized and required, as soon as may be, to adopt such measures as may be necessary to give full effect to the reports of the commissioners which are enumerated in the first and second sections of this act: *Provided*, That this act shall not be so construed as to prejudice the rights of third persons, or to impose any obligation, on the part of the United States, to make payment, or give other lands, to any claimant who may be deprived of his possessions by operation of law; nor shall the confirmations made by this act be so construed as to extend further than to a relinquishment, by the United States, of all interest in and to said lands, nor to any lands occupied by the United States for military purposes.

Provided; this act not to be construed so as to prejudice the rights of third persons, &c.

SEC. 4. *And be it further enacted*, That it shall be the duty of the register of the land office at Detroit to issue patent certificates, in the forms usual in similar cases, to claimants whose claims are confirmed by this act, upon which certificates, if legally and properly obtained, patents shall be granted by the Commissioner of the General Land Office.

Register at Detroit to issue certificates to claimants.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to John J. Deming, of Detroit, the sum of thirty dollars, which shall be in full for his services in preparing and publishing maps for the use of the commissioners aforesaid.

John J. Deming for preparing maps.

SEC. 6. *And be it further enacted*, That for surveying the donation rights or back concessions in said Territory, heretofore made under the above-mentioned acts of Congress, and not paid for, and also for such surveys as may be necessary to carry into effect the provisions of this act, there shall be paid, out of any money in the Treasury not otherwise appropriated, the same compensation per mile as is

Compensation for surveying.

allowed by the tenth section of the act of the eighth of February, one thousand eight hundred and twenty-seven, entitled "An act to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes,"* any thing in any act to the contrary notwithstanding. *See chapter 345.

Approved, April 17, 1828.

[See Part II, Nos. 112, 712.]

CHAP. 362.—An act explanatory of "An act to grant a certain quantity of land to the State of Ohio, for the purpose of making a road from Columbus to Sandusky."

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in lieu of the lands appropriated by the act approved on the third of March, one thousand eight hundred and twenty-seven,† there shall be granted to the State of Ohio, for the purposes designated in said act, forty-nine sections of land, to be located in the Delaware land district, in the following manner, to wit: Every alternate section through which the road may run, and the section next adjoining thereto on the west, so far as the said sections remain unsold, and if any part of the said sections shall have been disposed of, then a quantity equal thereto, shall be selected, under the direction of the Commissioner of the General Land Office, from the vacant lands in the sections adjoining on the west of those appropriated. †See chap. 356. Land for road in Ohio.

Approved, April 17, 1828.

[See Part II, No. 346.]

CHAP. 363.—An act extending the limits of certain land offices in Indiana, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the lands in the State of Indiana to which the Indian title is extinguished, which lies east of the line dividing the first and second ranges east of the second principal meridian, and north of the southern boundary of the Fort Wayne district, shall be attached to the land district the land office of which is established at Fort Wayne; and that all the lands to which the Indian title is extinguished in said State, and which may lie west of the line dividing the first and second ranges east of the second principal meridian, shall be attached to the land district the land office of which is established at Crawfordsville. Land district in Indiana defined.

SEC. 2. *And be it further enacted,* That the surveyor general shall cause the second principal meridian to be extended to the northern boundary of the State of Indiana: Second meridian to run to northern boundary of Indiana.

Provided, The assent of the Indians be obtained to the running and marking that portion of the meridian line which may lie within the lands not ceded to the United States.

Approved, April 28, 1828.

[See Part II, Nos. 64, 480.]

CHAP. 364.—An act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida.

Certain claims to land in Florida confirmed.

Location.

No more than a league square confirmed in 1 grant.
Condition of confirmation.

Certain other claims in East Florida confirmed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the three claims to land in the district of West Florida, contained in the reports of the commissioners, and numbered *four*, [4,] *eight*, [8,] and *ten*, [10,] excluding from the latter the land contained in certificate, and in the plats A and C; and the claims contained in the reports of the commissioners of East Florida, and in the reports of the receiver and register, acting as such, made in pursuance of the several acts of Congress providing for the settlement of private land claims in Florida, and recommended for confirmation by said commissioners, and by the register and receiver, be, and the same are hereby, confirmed to the extent of the quantity contained in one league square, to be located by the claimants, or their agents, within the limits of such claims or surveys filed, as aforesaid, before the said commissioners, or receiver and register; which location shall be made within the bounds of the original grant, in quantities of not less than one section, and to be bounded by sectional lines.

SEC. 2. *And be it further enacted*, That no more than the quantity of acres contained in a league square shall be confirmed within the bounds of any one grant; and no confirmation shall be effectual until all the parties in interest, under the original grant, shall file, with the register and receiver of the district where the grant may be situated, a full and final release of all claim to the residue contained in the grant; and where there shall be any minors, incapable of acting within said Territory of Florida, a relinquishment by the legal guardian shall be sufficient; and thereafter the excess in said grants, respectively, shall be liable to be sold as other public lands of the United States.

SEC. 3. *And be it further enacted*, That all the decisions made by the register and receiver of the district of East Florida, acting, *ex officio*, as commissioners, in pursuance of an act of Congress, approved the eighth of February, one thousand eight hundred and twenty-seven, authorizing them to ascertain and decide claims and titles to lands in the district aforesaid, and those recommended for confirmation, under the quantity of three thousand five hundred acres, contained in the reports, abstracts, and opinions, of the said register and receiver, transmitted to the Secretary of the

Treasury, according to law, and referred by him to Congress, on the twenty-ninth January, one thousand eight hundred and twenty-eight, be, and the same are hereby, confirmed. The confirmations authorized by this act shall operate only as a release of any claim had by the United States, and not to affect the interest of third persons.

SEC. 4. *And be it further enacted*, That the said register and receiver shall continue to examine and decide the remaining claims in East Florida, subject to the same limitations, and in conformity with the provisions of the several acts of Congress for the adjustment of private land claims in Florida, until the first Monday in December next, when they shall make a final report of all the claims aforesaid, in said district, to the Secretary of the Treasury; and it shall never be lawful, after that time, for any of the claimants to exhibit any further evidence in support of said claims. And the said register and receiver, and clerk, shall receive the compensation provided in the act aforesaid, to be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That the extra compensation of one thousand dollars each, which is hereby allowed to the register and receiver, for services under and by the provisions of this act, shall not be paid until a report of all the claims be made to the Secretary of the Treasury.

Register and receiver to examine remaining claims in E. Florida.

Those not presented in time, barred.

Compensation of officers.

SEC. 5. *And be it further enacted*, That the proper accounting officers of the Treasury be, and they are hereby, authorized to adjust and pay the accounts of the register and receiver, acting as commissioners, their contingent expenses, and the receiver the compensation heretofore allowed for bringing their reports to Washington, out of any money in the Treasury not otherwise appropriated.

Contingent expense allowed.

SEC. 6. *And be it further enacted*, That all claims to land within the Territory of Florida, embraced by the treaty between Spain and the United States of the twenty-second of February, one thousand eight hundred and nineteen, which shall not be decided and finally settled under the foregoing provisions of this act, containing a greater quantity of land than the commissioners were authorized to decide, and above the amount confirmed by this act, and which have not been reported as antedated or forged by said commissioners, or register and receiver, acting as such, shall be received and adjudicated by the judge of the superior court of the district within which the land lies, upon the petition of the claimant, according to the forms, rules, regulations, conditions, restrictions, and limitations, prescribed by the district judge, and claimants in the State of Missouri, by act of Congress, approved May twenty-sixth, eighteen hundred and twenty-four, entitled "An act enabling the claimants to land within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims:"* *Provided*, That nothing in this section shall be construed to authorize said judges to

Claims to large tracts, how to be adjusted.

*See chap. 305.

take cognizance of any claim ~~avaunted~~ by the said treaty, or the decree ratifying the same by the King of Spain, nor any claim not presented to the commissioners or register and receiver, in conformity to the several acts of Congress providing for the settlement of private land claims in Florida.

Appeals to the
Supreme Court, U.
States.

SEC. 7. *And be it further enacted*, That it shall be lawful for the claimants to lands, as aforesaid, to take an appeal, as directed in the act aforesaid, from the decision of the judge of the district to the Supreme Court of the United States, within four months after the decision shall be pronounced; and the said judges shall each be entitled to receive the extra compensation given to the district judge of Missouri, for the performance of the duties required by this act, out of any money in the Treasury not otherwise appropriated.

Extra pay to
judges.

Provisions in rela-
tion to costs of
court.

SEC. 8. *And be it further enacted*, That so much of the said act, the provisions of which, so far as they are applicable and are not altered by this act, are hereby extended to the Territory of Florida, as subjects the claimants to the payment of costs in any case where the decision may be in favor of their claims, be, and the same is hereby, repealed; and the costs shall abide the decision of the cause as in ordinary causes before the said court. And so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed.

Adverse claimants
not to be made
parties.

Attorney of the U.
States for the dis-
trict to report to
Attorney General.

SEC. 9. *And be it further enacted*, That it shall be the duty of the attorney of the United States for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, to make out and transmit to the Attorney General of the United States a statement containing the facts of the case, and the points of law on which the same was decided; and it shall be the duty of the Attorney General, in all cases where the claim exceeds one league square, and in all other cases, if he shall, in such latter cases, think the decision of the district judge is erroneous, to direct an appeal to be made to the Supreme Court of the United States, and to appear for the United States, and prosecute such appeal; which appeal, in behalf of the United States, may be granted at any time within six months after the rendition of the judgment appealed from, or at any time before the expiration of the term thereof which may commence next after the expiration of said six months; and it shall be the further duty of the district attorney to observe the instruction given to him by the Attorney General in that respect.

Duty of the Attor-
ney General to ap-
peal, &c.

A law agent to be
appointed.

SEC. 10. *And be it further enacted*, That it shall be lawful for the President of the United States to appoint a law agent, whose special duty it shall be to superintend the interests of the United States in the premises, to continue him in place as long as the public interest requires his continuance, and to allow such pay to the agent as the Presi-

dent may think reasonable. It shall also be the duty of said agent to collect testimony in behalf of the United States, and to attend, on all occasions, when said claimants may take depositions; and no deposition so taken by them shall be read as evidence, unless said agent or district attorney shall have been notified, in writing, of the time and place of taking them, so long previous to said time as to afford to him an opportunity of being present.

His duty.

SEC. 11. *And be it further enacted*, That it shall be lawful for the President to employ assistant counsel, if, in his opinion, the public interest shall require the same, and to allow to such counsel and the district attorney such compensation as he may think reasonable.

Assistant counsel to be appointed.

SEC. 12. *And be it further enacted*, That any claims to lands, tenements, and hereditaments, within the purview of this act, which shall not be brought by petition before said court within one year from the passage of this act, or which, after being brought before said court, shall, on account of the neglect or delay of the claimant, not be prosecuted to a final decision within two years, shall be forever barred, both at law and in equity; and no other action at common law, or proceeding in equity, shall ever thereafter be sustained in any court whatever.

Claims not brought and prosecuted within a certain time, forever barred.

SEC. 13. *And be it further enacted*, That the decrees which may be rendered by said district or the Supreme Court of the United States shall be conclusive between the United States and the said claimants only, and shall not affect the interests of third persons.

Decrees not to affect third parties.

Approved, May 23, 1828.

[See Part II, Nos. 19, 690, 705, 823, 830, 833, 850, 857, 864, 870, 872, 875, 878, 888, 891, 895, 896, 897, 934, 951, 957, 959.]

CHAP. 365.—An act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase-money.*

*See chapters 380 and 440.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all cases where public lands have been purchased, on which a further credit has not been taken under the provisions of the act of the second of March, one thousand eight hundred and twenty-one,† and have reverted, or are liable to revert, to the United States for failure to pay the purchase-money, or have been sold by the United States by reason of such failure to pay, and in all cases where one twentieth of the purchase-money shall have been deposited and forfeited to the United States, it shall be the duty of the register of the land office, where the purchase or deposit was made, to issue, upon application, to the person or persons legally entitled to the benefit of the payments made previous to such reversion or sale, his

Money paid for public lands which has been forfeited to be refunded.

†See chap. 231.

Certificate to issue, and receivable for other lands.

her, or their legal representatives or assigns, a certificate for the amount so paid and not refunded, which shall be received and credited as cash in payment of any public land that has been heretofore, or may hereafter be, sold by the United States in the State or Territory in which such original purchase or deposit was made.

Commissioner of the General Land Office to prescribe the form of certificates.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Commissioner of the General Land Office to prescribe the form of such certificates, which shall, in every case, specify the tract or tracts of land so reverted or sold, the amount paid, date of payments, and by whom made; and it shall be the duty of the register issuing such certificates to keep a record of the same, and to forward to the General Land Office, at the close of each month, an abstract of the certificates issued during the month; and for each certificate, the officer issuing the same shall be entitled to receive from the applicant the sum of fifty cents.

Which registers are to issue.

Certificates received in payment for lands, and credited to the receiver as cash.

SEC. 3. *And be it further enacted*, That the said certificates, when received in payment for lands, shall be entered in the books of the land office where received, and transmitted, with the accounts of the receiver of the public moneys, to the General Land Office, in such manner as the Commissioner of said office shall prescribe; and if, upon comparison of the original with the returns from the office whence any certificate issued, it shall appear, to the satisfaction of the said Commissioner, that such certificate has been issued and duly paid, according to the true intent and meaning of this act, the same shall be passed to the credit of the person paying the same as so much cash.

Provisions respecting lands sold at New York or Pittsburgh.

SEC. 4. *And be it further enacted*, That, for any moneys forfeited on lands sold at New York or Pittsburgh, the certificate shall be issued by the Secretary of the Treasury; which certificate shall be received in payment for lands at any of the land offices of the United States, as the certificates issued in conformity to the foregoing provisions of this act are made receivable.

Certificates to issue only to those who forfeited, or their heirs.

SEC. 5. *And be it further enacted*, That in no case shall a certificate be issued to any person, except to the person who originally forfeited the lands, or to his heir or heirs; nor shall a grant issue, or the lands purchased with any scrip be transferred, until six months after the certificate shall have been deposited in the office.

Proceedings in relation to forged or altered certificates.

SEC. 6. *And be it further enacted*, That if any tract of land returned as sold to the General Land Office shall have been paid for in forged or altered certificates, such sale shall be void, and the land subject to be sold again, at public or private sale, as the case may be; and in case any such forged or altered certificate shall be received upon any debt for land heretofore sold, or in part payment of any tract of land that may be hereafter sold, it shall be the duty of the Commissioner of the General Land Office, by advertisement, or in such other manner as he shall direct, to give notice thereof

to the person making such payment; and if, within six months after notice, such person shall not pay into the proper land office the amount so falsely paid, the tract of land upon which such payment was made shall, with all money actually paid thereon, be forfeited to the United States.

SEC. 7. *And be it further enacted*, That, where two or more persons have become purchasers of a section or fractional section, the register of the land office for the district in which the lands lie shall, on application of the parties, and a surrender of the original certificate, issue separate certificates, of the same date with the original, to each of the purchasers, or their assignees, in conformity with the division agreed on by them: *Provided*, That in no case shall the fractions so purchased be divided by other than north and south or east and west lines; nor shall any certificate issue for less than eighty acres.

Mode of proceeding where two persons become the purchasers of the same tract.

Proviso.

Approved, May 23, 1828.

[See Part II, Nos. 347, 348, 350, 351, 356, 357, 363, 370, 396, 481, 894.]

CHAP. 366.—An act to grant certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That four hundred thousand acres of the relinquished lands in the counties of Madison, Morgan, LIMESTONE, Lawrence, Franklin, and Lauderdale, in the State of Alabama, be, and the same is hereby, granted to said State, to be applied to the improvement of the navigation of the Muscle Shoals and Colbert's Shoals, in the Tennessee river, and such other parts of said river within said State as the Legislature thereof may direct. But if there shall not be four hundred thousand acres of relinquished unappropriated land in said counties, the deficiency to be made up out of any unappropriated lands in the county of Jackson, in said State.

400,000 acres of land granted to Alabama, to improve navigation of Tennessee river.

SEC. 2. *And be it further enacted*, That said State of Alabama shall have power to sell, dispose of, and grant said land, for the purposes aforesaid, at a price not less than the minimum price of the public lands of the United States, at the time of such sale.

Price at which land may be sold.

SEC. 3. *And be it further enacted*, That the said State of Alabama shall commence said improvements with two years after the passage of this act, and complete the same within ten years thereafter.

Improvements to be commenced within two years.

SEC. 4. *And be it further enacted*, That if said State of Alabama shall apply the lands hereby granted, or the proceeds of the sales, or any part thereof, to any other use or

Proceeds of lands not to be applied to any other purpose.

object whatsoever than as directed by this act, before said improvements shall have been completed, the said grant for all lands then unsold shall thereby become null and void; and the said State of Alabama shall become liable and bound to pay to the United States the amount for which said land, or any part thereof, may have been sold, deducting the expenses incurred in selling the same.

Places at which the improvements are to be commenced.

SEC. 5. *And be it further enacted*, That the improvements of said navigation shall be commenced at the lowest point of obstruction in said river, within said State, continued up the same until completed, and be calculated for the use of steamboats, according to such plan of construction as the United States engineers, appointed to survey and report thereon, may recommend, and the President of the United States approve: *Provided*, That such plan shall embrace, if practicable, a connexion of the navigation of Elk river with the said improvements.

Surplus to be applied to Coosa, Cahawba, and Black Warrior.

SEC. 6. *And be further enacted*, That, after the completion of said improvements, the surplus of said grant, if any, shall be applied to the improvement of the navigation of the Coosa, Cahawba, and Black Warrior rivers, in said State, under the direction of the Legislature thereof.

Tolls forbidden.

SEC. 7. *And be it further enacted*, That the said rivers, when improved as aforesaid, shall remain forever free from toll for all property belonging to the Government of the United States, and for all persons in their service, and for all the citizens of the United States, unless a toll shall be allowed by an act of Congress.

Approved, May 23, 1828.

CHAP. 367.—An act to continue in force, for a limited time, and to amend an act entitled “An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims.”*

*See chap. 305.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act approved the twenty-sixth of May, eighteen hundred and twenty-four, entitled “An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims,”† shall be, and the same hereby is, continued in force—that is to say, for the purpose of filing petitions in the manner prescribed by that act—to and until the twenty-sixth day of May, in the year one thousand eight hundred and twenty-nine, and for the purpose of enabling the claimants to obtain a final decision on the validity of their claims in the courts of Missouri and Arkansas, respectively; the said claims having been exhibited within the time above specified; the said act shall be continued in force to and until the twenty-sixth day of May, in the year

Act May 26, 1824, continued in force until 1830.

†See chap. 305.

one thousand eight hundred and thirty, and no longer; and the courts having cognizance of said claims shall decide upon and confirm such as would have been confirmed under the laws, usages, and customs, of the Spanish Government, for two years from and after the twenty-sixth day of May, one thousand eight hundred and twenty-eight; and all the claims authorized by that act to be heard and decided shall be ratified and confirmed to the same extent that the same would be valid if the country in which they lie had remained under the dominion of the sovereignty in which said claims originated.

Courts to confirm claims according to Spanish laws.

SEC. 2. *And be it further enacted*, That so much of the said act as subjects the claimants to the payment of costs in any case where the decision may be in favor of their claims, be, and the same is hereby, repealed, and the costs shall abide the decision of the cause as in ordinary causes before the said court; and so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed. And the confirmation had by virtue of said act, and the patents issued thereon, shall operate only as relinquishment of title on the part of the United States, and shall in nowise affect the right or title, either in law or equity, of adverse claimants of the same land.

Costs of court to abide decision of the cause.

Adverse claimants.

Confirmations not to affect rights of adverse claimants.

SEC. 3. *And be it further enacted*, That where any claim founded on concession, warrant, or order of survey, shall be adjudged against and rejected, the claimant, or his legal representatives, by descent or purchase, being actual inhabitants and cultivators of the soil the claim to which shall have been rejected, shall have the right of pre-emption, at the minimum price of the public lands, so soon as the land shall be surveyed and subdivided by the United States, of the quarter section on which the improvement shall be situate, and so much of every other quarter section which contains any part of the improvement as shall be within the limits of the rejected claim.

Right of pre-emption given to rejected claimants.

Approved, May 24, 1828.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 704, 1,001.]

CHAP. 368.—An act to authorize the Legislature of the State of Indiana to sell the lands heretofore appropriated for the use of schools in that State.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Legislature of the State of Indiana shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said State, and to invest the money arising from the sale thereof

Legislature of Indiana authorized to sell lands heretofore reserved for the use of schools.

in some productive fund, the proceeds of which shall be forever applied, under the direction of said Legislature, for the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, Said land, or any part thereof, shall in no case be sold without the consent of the inhabitants of such township or district, to be obtained in such manner as the Legislature of said State shall by law direct: *And provided, also*, That in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

Portion of proceeds to which each township may be entitled.

Where proceeds are not sufficient, the interest may be invested.

SEC. 2. *And be it further enacted*, That if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said Legislature to invest the same, as is hereinbefore directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

Approved, May 24, 1828.

CHAP. 369.—An act to confirm claims to lands in the district between the Rio Hondoo and Sabine rivers, founded on habitation and cultivation.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claims to lands founded on habitation and cultivation, reported for confirmation by the register and receiver of the Southwestern district of Louisiana, in their report dated November first, eighteen hundred and twenty-four, in conformity to the provisions of the acts of Congress of the third of March, eighteen hundred and twenty-three, and twenty-sixth of May, eighteen hundred and twenty-four, contained in the third class of the report of said register and receiver, be, and the same are hereby, confirmed, except claim number forty-two, near Cantonment Jessup, and the claims of Leonard Dyson, numbers fourteen and eighteen; Samuel Norris, numbers ten and thirteen; Baptiste Poirer, brother and sisters, number nineteen; Baptiste Poirer, senior, number twenty; Henry Stockman, number thirty-one; Peter Stockman, number ———; Moses Robison, number twenty-one; James Pharis, number twenty-four; Cesaré Wallace, number thirty-four and fifty-six; John Montgomery, junior, number sixty-nine; and Emanuel Trickel, number two hundred and thirty-one; which claims are suspended until it is ascertained whether they are situated within the limits of the lands claimed by the Caddoe Indians.

Certain claims to lands in the Southwestern district of Louisiana, confirmed.

Certain other claims suspended.

Effect of confirmations by this act.

SEC. 2. *And be it further enacted*, That the confirmations made by this act shall not be construed to extend further than

to a relinquishment of title on the part of the United States, and the claims hereby confirmed shall be located, under the direction of the register and receiver of the proper land office, in conformity with the legal subdivisions of the public surveys, so far as practicable, and shall include the improvements of the claimants, respectively.

Approved, May 24, 1828.

[See Part II, Nos. 694, 727.]

CHAP. 370.—An act supplementary to the several acts providing for the adjustment of land claims in the State of Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claimants of lands within that part of the limits of the land district of Jackson Court-house, in the State of Mississippi, lying below the thirty-first degree of north latitude, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands in said district of Jackson Court-house, or to the register and receiver of the land office at Jackson Court-house, acting as commissioners under the provisions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices, in the district east of the island of New Orleans,"* and which have not been reported to Congress, or whose claims have not been heretofore presented to said commissioners, or to the register and receiver, acting as commissioners, or whose claims have been acted upon, but additional evidence adduced, be allowed until the first day of January, one thousand eight hundred and twenty-nine, to present their titles and claims, and the evidence in support of the same, to the register and receiver of the land office at Jackson Court-house, in the State of Mississippi, whose powers and duties in relation to the same shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans."†

Certain claimants of lands in the district of Jackson Court-house, allowed until Jan. 1, 1829, to present their titles, &c.

*See chap. 236.

†See chap. 273.

SEC. 2. *And be it further enacted,* That the said register and receiver shall have power to receive and examine such titles and claims, and for that purpose shall hold their sessions at Jackson Court-house and the town of Shieldsborough. They shall give immediate notice, after the passage of this act, of the time and place of their meeting, but may adjourn from time to time, as may best suit the convenience of claimants, upon giving due notice thereof. And the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and

Register and receiver to hold their sessions at Jackson Court-house and the town of Shieldsborough, &c.

And to appoint a clerk.

Their compensation, each.

Spanish languages, and who shall perform the duty of translator and such other duty as may be required by the said register and receiver; and the said register and receiver shall each be allowed, as a compensation for their services in relation to said claims, and for the services to be performed under the provisions of the several acts to which this is a supplement, the sum of eight hundred dollars each, and the clerk the sum of eight hundred dollars; which several sums of money shall be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That the payment of the whole of the aforesaid compensation shall be withheld by the Secretary of the Treasury until a report, approved by him, shall have been made to him, by said register and receiver, of the performance of the services herein required.

Approved, May 24, 1828.

[See Part II, No. 873.]

*See chap. 235.

CHAP. 371.—An act supplementary to an act entitled "An act providing for the correction of errors in making entries of lands at the land offices,"* passed March third, eighteen hundred and nineteen.

Errors in entry of land may be corrected after issuing of patents.

†See chap. 235.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the act entitled "An act providing for the correction of errors in making entries of lands at the land offices,"† approved March third, one thousand eight hundred and nineteen, are hereby declared to extend to cases where patents have issued or shall hereafter issue; upon condition that the party concerned shall surrender his or her patent to the Commissioner of the General Land Office, with a relinquishment of title thereon, executed in a form to be prescribed by the Secretary of the Treasury.

Approved, May 24, 1828.

[See Part II, Nos. 40, 368, 378, 416, 420, 423, 455.]

CHAP. 372.—An act to authorize the selection of lands for the benefit of a seminary of learning in the State of Alabama, instead of other lands heretofore selected.

Exchange of lands with the University of Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the trustees of the University of the State of Alabama be, and they are hereby, authorized to surrender the patents issued for section twelve, the northeast quarter of section seventeen, the northeast quarter of section twenty-eight, and the east half of the northeast quarter of section thirty-four, in township four, range eleven west, in

the Huntsville land district, and to select a like quantity in lieu thereof of any of the public lands of the United States in said State; and that, on such relinquishment being made by the trustees as aforesaid, patents shall issue to the purchasers, from the United States, of said lands, or their assignees.

Approved, May 24, 1828.

CHAP. 373.—An act to authorize the Legislature of the State of Illinois to sell and convey a part of the land reserved and granted to said State for the use of the Ohio Saline.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislature of the State of Illinois shall be, and is hereby, authorized and empowered to cause to be sold and conveyed, in such manner and on such terms and conditions as said Legislature shall by law direct, such part or parts of the tract of land reserved and granted to said State for the use and support of the salt works, known by the name of the Ohio Saline, in the county of Gallatin, in the said State, and to apply the proceeds of such sale to such objects as the said Legislature may by law hereafter direct: *Provided,* That the Legislature shall not sell and convey more than thirty thousand acres of the land reserved and granted for the use of the Saline aforesaid.

Legislature of Illinois authorized to sell land reserved for the use of salt works.

Not exceeding 30,000 acres.

Approved, May 24, 1828.

CHAP. 374.—An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and is hereby, granted to the State of Ohio, for the purpose of aiding said State in extending the Miami canal from Dayton to Lake Erie, by the Maumee route, a quantity of land equal to one half of five sections in width on each side of said canal, between Dayton and the Maumee river, at the mouth of the Anglaise, so far as the same shall be located through the public land, and reserving each alternate section of the land unsold to the United States, to be selected by the Commissioner of the General Land Office, under the direction of the President of the United States; and which land, so reserved to the United States, shall not be sold for less than two dollars and fifty cents per acre. The said land, hereby granted to the State of Ohio, to be subject to the disposal of the Legislature of said State

Land granted to State of Ohio to aid in constructing the Miami canal.

Canal to be free of toll to the United States.

Canal to be commenced within five, and completed in 20 years, &c.

Lands granted by this act, to be examined and reported.

Ohio may sell after the selection be made.

Indiana may convey to Ohio certain lands granted by act of 2d of March, 1837.

*See chap. 349.

500,000 acres of land granted to Ohio, for the purpose of aiding in the construction of canals.

Canals to be free of tolls to the U. States.

for the purpose aforesaid, and no other: *Provided*, That said canal, when completed, shall be and forever remain a public highway, for the use of the Government of the United States, free from any toll or other charge whatever for any property of the United States, or persons in their service, passing through the same: *And provided, also*, That the extension of the said Miami canal shall be commenced within five years, and completed within twenty years, or the State shall be bound to pay to the United States the amount of any lands previously sold; and that the title to purchasers under the State shall be valid.

SEC. 2. *And be it further enacted*, That so soon as the route of said canal shall be located and agreed on by said State, it shall be the duty of the Governor thereof, or such other person or persons as may have been or shall hereafter be authorized to superintend the construction of said canal, to examine and ascertain the particular lands to which the said State will be entitled under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

SEC. 3. *And be it further enacted*, That the State of Ohio, under the authority of the Legislature thereof, after the selection shall have been so made, as aforesaid, shall have power to sell and convey the whole or any part of said land, and to give a title, in fee simple, therefor, to the purchaser thereof.

SEC. 4. *And be it further enacted*, That the State of Indiana be, and hereby is, authorized to convey and relinquish to the State of Ohio, upon such terms as may be agreed upon by said States, all the right and interest granted to the State of Indiana to any lands within the limits of the State of Ohio, by an act entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal, to connect the waters of Wabash river with those of Lake Erie,"* approved on the second of March, one thousand eight hundred and twenty-seven; the State of Ohio to hold said land on the same conditions upon which it was granted to the State of Indiana by the act aforesaid.

SEC. 5. *And be it further enacted*, That there be, and hereby is, granted to the State of Ohio five hundred thousand acres of the lands owned by the United States within the said State, to be selected as hereinafter directed, for the purpose of aiding the State of Ohio in the payment of the debt, or the interest thereon, which has heretofore been or which may hereafter be contracted by said State, in the construction of the canals within the same, undertaken under the authority of the laws of said State now in force, or that may hereafter be enacted, for the extension of canals now making; which land, when selected, shall be disposed of by the Legislature of Ohio for that purpose, and no other: *Provided*, The said canals, when completed or used, shall be

and forever remain public highways, for the use of the Government of the United States, free from any toll or charge whatever for any property of the United States, or persons in their service, passing along the same: *And provided, further,* That the said canals, already commenced, shall be completed in seven years from the approval of this act; otherwise the State of Ohio shall stand bound to pay over to the United States the amount which any lands sold by her within that time may have brought; but the validity of the titles derived from the State by such sales shall not be affected by that failure.

And to be completed in seven years.

SEC. 6. *And be it further enacted,* That the selection of the land granted by the fifth section of this act may be made under the authority and by the direction of the Governor of the State of Ohio, of any lands belonging to the United States within said State, which may at the time of selection be subject to entry at private sale, and within two years from the approval of this act: *Provided,* That, in the selection of the lands hereby granted, no lands shall be comprehended which have been reserved for the use of the United States as alternate sections in the grants hitherto made, or which may be made during the present session of Congress, of lands within the said State, for roads and canals: *And provided,* That all lands so selected shall, by the Governor of said State, be reported to the office of the register of the district in which the land lies, and on lands shall be deemed to be so selected till such report be made, and the lands so selected shall be granted by the United States to the State of Ohio.

Selection of the land.

To be reported to the register of the land office.

SEC. 7. *And be it further enacted,* That this act shall take effect, provided the Legislature of Ohio, at the first session thereof hereafter to commence, shall express the assent of the State to the several provisions and conditions hereof: and unless such expression of assent be made, this act shall be wholly inoperative, except so far as to authorize the Governor of Ohio to proceed in causing selection of said land to be made, previous to the said next session of the Legislature.

Act not to take effect until the Legislature of Ohio shall assent to the same.

SEC. 8. *And be it further enacted,* That each head of a family, widow, or single man, over the age of twenty-one years, actually settled on that part of the Territory of Arkansas which, by the first article of the treaty between the United States and the Cherokee Indians west of the Mississippi, ratified the twenty-third day of May, one thousand eight hundred and twenty-eight, has ceased to be a part of said Territory, who shall remove from such settlement according to the provisions of that treaty, shall be authorized to enter, with the proper register of the land office in Arkansas, a quantity not exceeding two quarter sections of land, on any of the public lands in that Territory the sale of which is authorized by law, and in conformity with the lines of the public surveys, at any time within two years from the passage of this act; and upon presenting the certificate of such

Donation in land made to citizens of Arkansas, who lost their improvements by a treaty with the Cherokee Indians.

entry to the Secretary of the Treasury, a patent shall be issued to such settler, or to his, her, or their heirs, for the lands so entered, as a donation from the United States, as an indemnity for the improvements and losses of such settler under the aforesaid treaty. (1)

Register and receiver to take testimony of losses.

SEC. 9. *And be it further enacted*, That the register and receiver of the land office, to which application may be made to enter such lands, shall be authorized to take the proper testimony of such actual settlement and subsequent removal, as in cases of pre-emptions heretofore granted to actual settlers, for which a reasonable compensation shall be made to such registers and receivers by the United States.

Approved, May 24, 1838.

(1) See Part II, Nos. 32, 38.

[See Part II, Nos. 32, 38, 117, 130, 131, 349, 352, 355, 360, 385, 391, 392, 403, 408, pages 527, 533, Nos. 561, 583, 876.]

CHAP. 375.—An act restricting the location of certain land claims in the Territory of Arkansas, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no person entitled to a donation of land by the eighth section of an act entitled "An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory,"* shall be permitted to enter the improvement of any actual settler in the Territory of Arkansas, before the same shall have been offered for sale, unless it be with the consent of such actual settler; and all entries which may be so made shall be considered null and void.

Donation rights in Arkansas not to be entered on improvements of actual settlers.

*See chap. 374.

Residents south of Arkansas river, &c., west of territorial line, not entitled to donations.

SEC. 2. *And be it further enacted*, That no person residing south of the Arkansas river, and west of the present territorial line, shall be entitled to the donation of land given by the eighth section aforesaid, unless said persons shall move east of said line; and, in that case, they shall be entitled to the donations specified in said eighth section of said act, under the restrictions aforesaid.

Approved, January 6, 1829.

[See Part II, Nos. 32, 38, 355, 360, 385, pages 527, 533, No. 999.]

†Further extended. See chap. 402, sect. 6.

CHAP. 376.—An act to allow further time to complete the issuing and locating of military land warrants.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled "An act to allow further

Further time allowed for issuing and locating land warrants.

time to complete the issuing and locating of military land warrants," approved the twenty-sixth day of May, one thousand eight hundred and twenty-four,* and also the operations of the act approved the twenty-fourth day of May, [February,] one thousand eight hundred and nineteen,† which, by the said act of one thousand eight hundred and twenty-four, is revived, be, and the said acts are hereby, extended and continued in force for the term of five years from and after the twenty-sixth day of May next.

Approved, February 5, 1829.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 377.—An act authorizing the laying off a town on Bean river, in the State of Illinois, and for other purposes.‡

‡See chap. 441.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That a tract of land in the State of Illinois, at and including "Galena," on Bean river, shall, under the direction of the surveyor of the public lands for the States of Illinois and Missouri and the Territory of Arkansas, be laid off into town lots, streets, and avenues, and into out-lots, having regard to the lots and streets already surveyed, in such manner and of such dimensions as he may think proper:

Town to be laid off at Galena, in Illinois.

Provided, The tract so to be laid off shall not exceed the quantity contained in one entire section, nor the town lots one quarter of an acre each, nor shall the out-lots exceed the quantity of two acres each. When the survey of the lots shall be completed, a plat thereof shall be returned to the Secretary of the Treasury, and within twelve months thereafter the lots shall be offered to the highest bidder at public sale, under the direction of the President of the United States, and at such other times as he shall think proper: *Provided,* That no town lot shall be sold for a sum less than five dollars: *And provided, further,* That a quantity of ground of proper width on the said river, and running therewith the whole length of the said town, shall be reserved from sale for public use, and remain forever a common highway.

Lots to be sold.

Public reservation.

SEC. 2. *And be it further enacted,* That it shall be the duty of the said surveyor to class the lots already surveyed, in the said town of Galena, into three classes, according to the relative value thereof, on account of situation and eligibility for business, without regard, however, to the improvements made thereon; and previous to the sale of the said lots as aforesaid, each and every person, or his, her, or their legal representative or representatives, who shall heretofore have obtained from the agent of the United States a permit to occupy any lot or lots in the said town of Galena, or who shall have actually occupied and improved any lot or lots in the said town, or within the tract of land hereby authorized

Lots to be classed.

Occupants to have right of pre-emption in purchase.

to be laid off into lots, shall be permitted to purchase such lot or lots; by paying therefor, in cash, if the same fall within the first class as aforesaid, at the rate of twenty-five dollars per acre; if within the second class, at the rate of fifteen dollars per acre; and if within the third class, at the rate of ten dollars per acre: *Provided*, That no one of the persons aforesaid shall be permitted to purchase, by authority of this section, more than one half acre of ground; unless a larger quantity shall be necessary to embrace permanent improvements already made.

Approved, February 5, 1829.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 464.]

CHAP. 378.—An act to authorize the appointment of a surveyor for the Virginia military district within the State of Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a surveyor for the Virginia military district within the State of Ohio, who shall keep his office at Chillicothe, in the said district, within the State of Ohio, until otherwise directed by law.

Surveyor of Virginia military bounty lands.

Office at Chillicothe.

His powers, duties, emoluments, &c.

SEC. 2. *And be it further enacted*, That the surveyor appointed by virtue of this act shall possess the same powers and authority, perform the same duties, receive the same emoluments, and in all respects be subject to, and regulated by, the same laws, rules, and regulations, which were received, exercised, and performed by, and governed, the late surveyor of said district, so far as the Virginia military district in the State of Ohio is concerned.

To receive the books, records, &c., relating to lands within his district.

SEC. 3. *And be it further enacted*, That it shall be the duty of the surveyor to be appointed under the authority of this act, to receive from the personal representatives of Colonel Richard C. Anderson, deceased, late surveyor of said district, all the original books, records, warrants, plats, and certificates of surveys, assignments, and other papers, relating exclusively to lands already entered, surveyed, or patented, or to be surveyed, entered, and patented, within the Virginia military district in the State of Ohio; and he shall also make or cause to be made, so far as relates to claims to land in said Virginia military district in the State of Ohio, fair copies of such original books, records, warrants, plats, and certificates of surveys, assignments, and other papers, from such original books, records, and papers, in said office, (which contain entries, certificates, surveys, plats, assignments, or other papers or evidences of title, in which is also included entries, certificates, surveys, plats, assignments, or other evidences of title pertaining to lands lying within the Virginia military

And make copies thereof.

district in the State of Kentucky,) which transcripts and copies he shall carefully preserve as a part of the records of his office, and from which he may give copies, as from the originals, to be used in all cases of controversies in the courts of the United States about lands in the said district in the State of Ohio.

Effect of such copies.

SEC. 4. *And be it further enacted*, That it shall and may be lawful for the personal representatives of the said Richard C. Anderson, before the delivery of the books, records, papers, and copies, herein specified, to require of the surveyor appointed under the provisions of this act, bond, with good and sufficient security, to be approved of by the county court of the county of Jefferson, in the State of Kentucky, if not approved of by the personal representatives of said Richard C. Anderson, in the penal sum of ten thousand dollars, conditioned that the said surveyor shall pay over to the said Anderson's personal representatives all such sums of money due, or to become due, to said Anderson or his representatives, for fees due, services performed, or business done, by said Anderson, as late surveyor in said office, and which may be received by the said surveyor appointed under this act; and conditioned, also, that he will not surrender to any person or persons originals or copies of any of the records, books, warrants, plats, and certificates of survey, assignments, or other papers by him received of the personal representatives of said Richard C. Anderson, upon which fees are due, to the person or persons claiming interest in the same, or any other person whatever, until the fees due or to become due, to said Anderson or his legal representatives, shall have been first paid to said surveyor; and, upon the execution of said bond, the personal representatives of said Anderson are authorized and required to deliver the records, books, copies, and papers, hereinabove specified, as is provided by this act.

Surveyor to give bond to representatives of late surveyor, for collection and payment of fees due.

SEC. 5. *And be it further enacted*, That it shall be the duty of the surveyor for said Virginia military district, before he shall receive any location or entry of military warrants to be surveyed, to give at least sixty days' notice, in those newspapers in which the laws of the United States are published in Ohio, of the day on which he will begin to receive such locations or entries, the expenses of which notice shall be audited and paid by the Treasury Department of the United States.

Notice to be given of time at which he will commence locations.

Approved, February 24, 1829.

[See Part II, Nos. 35, 43, 134, 136, 137.]

CHAP. 379.—An act to authorize the establishment of a town on land reserved for the use of schools, and to direct the manner of disposing of certain reserved quarter sections of land for the seat of Government in Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as*

A town may be laid out on a school section in Florida.

sembled, That it shall and may be lawful for the qualified voters in township five, range eleven, north and west, in the county of Jackson, in the Territory of Florida, to elect, in such manner as may be directed by the county court of said county, three fit and discreet commissioners, who shall be, and they are hereby, authorized, by and with the consent of the voters of said township, to be obtained in such manner as the said county court shall direct, to lay off and establish a town on one quarter or two adjoining eighths of the sixteenth section of the township and range aforesaid, reserved by law for the use of schools, and to make sale of one half the lots at public auction; and the money arising from said sales shall be paid into the territorial treasury, for the sole use and benefit of common schools in said township, which said sum shall be subject to such laws as may hereafter be passed, for forming a permanent fund from the said reserved lands, for the support of common schools; and the said commissioners shall give bond and security, to the satisfaction of the county court, for the performance of the duties under this act, and the payment of the money arising from the sales of the lots as aforesaid.

Proceeds of lots for benefit of schools.

Certain reserved lands granted to Florida.

SEC. 2. *And be it further enacted,* That the following quarter sections of land, which have been heretofore reserved from sale, to wit: the northeast and northwest quarters of section thirty-six, in township one, of range one, north and west; the northeast, southwest, and southeast, quarters of section one, in township one, of range one, south and west; and the southwest quarter of section six, in township one, of range one, south and east, shall be granted to the Territory of Florida.

Two of the sections to be reserved for the State.

SEC. 3. *And be it further enacted,* That the Governor and Legislative Council of Florida, or a majority of them, be, and hereby are, authorized to select any two of the aforesaid quarter sections of land, to be reserved for and vested in the State, should the Territory of Florida ever be erected into one, in conformity to the provisions of the fourteenth section of the act passed on the eighth of February, one thousand eight hundred and twenty-seven;* and the residue of the above-described quarter sections of land, or any part thereof, including so much of the northeast quarter of section one, in township one, of range one, south and west, contiguous to the creek and waterfall, as shall not be reserved, agreeably to the provisions of the act above mentioned, for the town of Tallahassee, shall be sold in such manner, and at such time, as the Governor and Legislative Council of Florida may deem proper, and the proceeds applied to the erection of public buildings in Tallahassee, any act or acts to the contrary notwithstanding.

*See chap. 345.

Residue to be sold.

Proceeds applied to public buildings.

Approved, March 2, 1829.

CHAP. 380.—An act confirming the reports of the register and receiver of the land office for the district of Saint Stephens, in the State of Alabama, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the claims to lands and town lots contained in the abstracts denominated A number one, D number one, E number one, F number one, reported to the Treasury Department by the register and receiver of the land office for the district of Saint Stephens, in the State of Alabama, under the provisions of the act of Congress of the third of March, one thousand eight hundred and twenty-seven,* be, and the same are hereby, confirmed to the extent therein recommended for confirmation.

Certain land claims in Alabama confirmed.

*See chap. 355.

SEC. 2. *And be it further enacted*, That all the claims contained in special reports numbered one to four, inclusive, and in a supplementary report of the said register and receiver, made as aforesaid, be, and the same are hereby, confirmed.

SEC. 3. *And be it further enacted*, That every person or persons, or the legal representatives of such person or persons, who, on the fifteenth day of April, one thousand eight hundred and thirteen, had, for ten consecutive years prior to that day, been in possession of a tract of land, not claimed by any other person, and not exceeding the quantity contained in one league square; and who were on that day resident in that part of Louisiana situated east of Pearl river, and west of the Perdido, and below the thirty-first degree of north latitude, and had still possession of such tract of land, shall be authorized to file their claim, in the manner required in other cases, before the said register and receiver at Saint Stephens, for their decision thereon. And it shall be the duty of the said register and receiver to hear and record the evidence offered to support such claim; and if the same shall be established by sufficient proof, agreeably to the provisions of this section, the said officers shall, in their report, recommend the confirmation of the right to such claim, as in other cases: *Provided*, That no more land shall be reported for confirmation, by virtue of this section, than is actually claimed by the party, or than is contained within the acknowledged and ascertained boundaries of the tract claimed; nor shall the provision of this section authorize the confirmation of any land heretofore sold by the United States.

Register and receiver at St. Stephens, directed to act upon other claims.

SEC. 4. *And be it further enacted*, That the confirmation of all the claims provided for by this act shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tracts of land and town lots so confirmed, and that nothing herein contained shall be construed to affect the claim or claims of any individual or body politic or corporate, if any such there be.

Effect of confirmation.

SEC. 5. *And be it further enacted*, That the register and receiver of the land office at Saint Stephens be, and they

Mode of locating and surveying confirmed claims.

are hereby, invested with power to direct the manner in which all claims to lands and town lots, which have been confirmed by this and former acts of Congress, in their district, shall be located and surveyed, having regard to the laws, usages, and customs, of the Spanish Government on that subject, and also the mode adopted by the Government of the United States, in surveying the claims confirmed by virtue of the second and third sections of an act of Congress entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the State of Tennessee," approved the third of March, one thousand eight hundred and three,* and that so much of the fourth section of the "Act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans," approved the eighth of May, one thousand eight hundred and twenty-two,† as interferes with the power granted to the register and receiver of the land office at Saint Stephens, be, and the same is hereby, repealed.

*See chap. 82.

†See chap. 273.

Certificates and patents to be granted.

SEC. 6. *And be it further enacted*, That certificates of confirmation and patents shall be granted for all lands and town lots confirmed by virtue of the provisions of this act, in the same manner as patents are granted for lands and town lots confirmed under former acts of Congress.

Extra compensation to receiver at St. Stephens.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and empowered to make such compensation, not exceeding two hundred and fifty dollars, in addition to the sum already paid, to the present receiver of the land office at Saint Stephens, as to him may seem a just and proper equivalent for the services rendered by him in the discharge of the duties under the provisions of an act of Congress passed on the third day of March, one thousand eight hundred and twenty-seven.

Approved, March 2, 1829.

[See Part II, Nos. 568, 719.]

CHAP. 381.—An act to authorize the President of the United States to cause the reserved salt springs in the State of Missouri to be exposed to public sale.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he hereby is, authorized, at any time that he shall think proper, to cause the reserved salt springs and contiguous lands, in the State of Missouri, belonging to the United States, and unclaimed by individuals, to be exposed to sale, in the same manner that other public lands are authorized by law to be sold.

Salt springs in Missouri to be sold.

Approved, March 3, 1829.

CHAP. 382.—An act to authorize the President of the United States to cause the reserved lead mines in the State of Missouri to be exposed to public sale, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he hereby is, authorized, Lead mines in Missouri to be sold. at any time that he shall think proper, to cause the reserved lead mines and contiguous lands in the State of Missouri, belonging to the United States, and unclaimed by individuals, to be exposed to sale, in the same manner that other public lands are authorized by law to be sold, except as hereinafter provided.

SEC. 2. *And be it further enacted*, That six months' notice, at least, of the times and places of the said sales shall be given, in such newspapers of general circulation in such of the States as the President may think expedient, with a brief description of the mineral region in Missouri, and of the lands to be offered for sale, showing the number and the localities of the different mines now known, the probability of discovering others, the quality of the ore, the facilities for working it, the further facilities, if any, for manufactories of shot, sheet lead, and paints, and the means and expense of transporting the whole to the principal markets in the United States. Six months' notice to be given, &c.

SEC. 3. *And be it further enacted*, That in all cases of confirmation or sales of lands in Missouri, reported to contain lead ore, the patent shall be issued to the person in whose favor the confirmation has been made, or to the purchaser from the United States, or their heirs or assignees, as in ordinary cases of confirmation or sales. Patents to issue for confirmations or sales of lead mines.

Approved, March 3, 1829.

CHAP. 383.—An act to authorize the exchange of certain lots of land between the University of Michigan Territory and Martin Baum and others.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the trustees of the University of Michigan be, and they are hereby, authorized to exchange, with Martin Baum and others, the tracts of land designated as river lots, numbered one and two, in the United States reserve of twelve miles square, on the Miami of Lake Erie, heretofore purchased from the United States, and which, having been relinquished by the said Martin Baum, under the provisions of the act of the second of March, one thousand eight hundred and twenty-one,* for the relief of the purchasers of the public lands, were afterwards selected by the Secretary of the Treasury for the said university, under the provisions of the act of the twentieth of May, one thousand eight hundred and twenty-six, entitled "An act concerning a seminary of learn- University of Michigan authorized to exchange land with Martin Baum and others.

*Chap. 263.

*Chap. 336.

ing in the Territory of Michigan,"* for such other lands as may be agreed upon by them; and the President of the United States, upon being advised by the said trustees that such exchange has been made, is hereby authorized and required to issue patents in such manner as may be necessary to carry this act into full effect.

Approved, January 13, 1830.

CHAP. 384.—An act to extend the time for locating certain donations in Arkansas.

Location of donation rights in Arkansas extended one year.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of an act of Congress approved the twenty-fourth of May, eighteen hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of canals authorized by law, and for making donations of land to certain persons in Arkansas Territory; † and, also, so much of an act approved sixth January, eighteen hundred and twenty-nine, entitled "An act restricting the location of certain land claims in the Territory of Arkansas, and for other purposes," ‡ as limits the time of locating those donations, be, and the same is hereby, continued in force for the further term of one year from the twenty-fourth day of May next: *Provided*, That no locations shall be made within the further time allowed by this act, which shall not include the actual settlement made by the claimant prior to the twenty-fourth day of May next.

†See chap. 374.

‡See chap. 375.

[See Part II, pages 527, 533, No. 999.]

CHAP. 385.—An act to continue in force "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," and for other purposes.

Military bounty lands unfit for cultivation may be exchanged.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act of the twenty-second of May, one thousand eight hundred and twenty-six, entitled "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," be, and the same is hereby, continued in force for the term of five years. And the provisions of the above-recited act shall be, and are hereby, extended to those having like claims in the States of Illinois and Missouri.

§See chap. 341.

Approved, March 23, 1830.

CHAP. 386.—An act for the relief of the purchasers of public lands, and for the suppression of fraudulent practices at the public sales of the lands of the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all purchasers, their heirs or assignees, of such of the public lands of the United States as were sold on a credit, and on which a further credit has been taken, under any of the laws passed for the relief of purchasers of public lands, and which lands have reverted to the United States, on account of the balance due thereon not having been paid or discharged agreeably to said relief laws, such persons may avail themselves of any one of the three following provisions contained in this section, to wit : First, they shall have a right of pre-emption of the same lands until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into the proper office the sum per acre therefor, which shall, at the time of payment, be the minimum price per acre of the public lands of the United States, in addition to the amount heretofore paid thereon and forfeited : *Provided,* That the price, including what has already been paid, and the amount to be paid, shall not in any case exceed three dollars and fifty cents per acre ; second, they shall have the right of completing the payment of said lands by paying the balance of the principal debt due thereon in cash, subject to a deduction of thirty-seven and a half per cent., as heretofore, at any time previous to the fourth day of July, one thousand eight hundred and thirty-one ; third, they shall have the right, within nine months from the passage of this act, in all cases where the price for which said lands were sold did not exceed two dollars and fifty cents per acre, to draw scrip for the amount paid thereon, in the manner prescribed in the act approved the twenty-third day of May, one thousand eight hundred and twenty-eight, entitled “ An act for the relief of purchasers of public lands that have reverted for non-payment of the purchase-money,”* and which scrip shall be received in the same manner as directed by said act, except only that it shall not be taken in payment for lands hereafter bought at public sale.

Further relief to purchasers of public lands that have become forfeited.

Terms of relief.

*See chap. 385.

SEC. 2. *And be it further enacted,* That all purchasers, their heirs or assignees, of such of the public lands of the United States as were sold on credit, and which lands have by such persons been relinquished, under any of the laws passed for the relief of purchasers of public lands, and the amount paid thereon applied in payment of other lands retained by them, and which relinquished lands, or any part thereof, may now be in possession of such persons ; or in case the certificate of purchase and part payment of said lands has been transferred by the persons now in possession of said lands, or part thereof, or the persons under whom the present occupants may hold such possession, to some other person not in possession thereof, and the payment made thereon ap-

Purchasers or their assignees entitled to pre-emption in relinquished lands.

plied by such other person, or his assignee, in payment for land held in his own name ; in either case, the persons so in possession shall have the right of pre-emption of the same lands, according to the legal subdivisions of sections, not exceeding the quantity of two quarter sections, in contiguous tracts, until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into the proper office the sum per acre therefor which shall at the time of payment be the minimum price per acre of the United States public lands ; and, in addition thereto, the same amount per acre heretofore paid thereon and applied to other lands, subject to a deduction of thirty-seven and a half per cent. on the last-mentioned sum : *Provided*, That the sum to be paid shall not, in any case, exceed three dollars and fifty cents per acre : *Provided, also*, That such persons only shall be entitled to the benefits of this section, who shall apply for the same, and prove their possession, to the satisfaction of the register and receiver of the district in which the land may lie, in the manner to be prescribed by the Commissioner of the General Land Office, within nine months from the passage of this act ; for which such register and receiver shall each be entitled to receive from such applicants the sum of fifty cents each : *And provided, further*, That the provisions of this section shall not extend to any lands that have in any manner been disposed of by the United States.

If pre-emption rights be not applied for in nine months, the land may be sold.

SEC. 3. *And be it further enacted*, That, on failure to apply for and show a right of pre-emption, under the second section of this act, within the time allowed therefor, and also on failure to complete the payment on any of the lands, agreeably to the provisions of this act, within the period allowed for that purpose, in either case, the whole of such lands shall be forthwith offered for sale without delay.

Combination to depress the price of lands forbidden.

SEC. 4. *And be it further enacted*, That if any person or persons shall, before or at the time of the public sale of any of the lands of the United States, bargain, contract, or agree, or shall attempt to bargain, contract, or agree, with any other person or persons, that the last-named person or persons shall not bid upon or purchase the land so offered for sale, or any parcel thereof, or shall, by intimidation, combination, or unfair management, hinder or prevent, or attempt to hinder or prevent, any person or persons from bidding upon or purchasing any tract or tracts of land so offered for sale, every such offender, his, her, or their aiders and abettors, being thereof duly convicted, shall, for every such offence, be fined not exceeding one thousand dollars, or imprisoned not exceeding two years, or both, in the discretion of the court.

Under penalty.

All agreements before sale null and void.

SEC. 5. *And be it further enacted*, That if any person or persons shall, before or at the time of the public sale of any of the lands of the United States, enter into any contract, bargain, agreement, or secret understanding, with any other person or persons, proposing to purchase such land, to pay or give to such purchasers, for such land, a sum of money or

other article of property, over and above the price at which the land may or shall be bid off by such purchasers, every such contract, bargain, agreement, or secret understanding, and every bond, obligation, or writing, of any kind whatsoever, founded upon or growing out of the same, shall be utterly null and void. And any person or persons, being a party to such contract, bargain, agreement, or secret understanding, who shall or may pay to such purchasers any sum of money or other article of property, as aforesaid, over and above the purchase-money of such land, may sue for and recover such excess from such purchasers in any court having jurisdiction of the same. And if the party aggrieved, having no legal evidence of such contract, bargain, agreement, or secret understanding, or of the payment of the excess aforesaid, he may, by bill in equity, compel such purchasers to make discovery thereof; and if in such case the complainant shall ask for relief, the court in which the bill is pending may proceed to final decree between the parties to the same: *Provided*, Every such suit, either in law or equity, shall be commenced within six years next after the sale of said land by the United States.

Premium paid in consequence of such agreement, may be recovered.

Suit to be commenced within six years.

Approved, March 31, 1830.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 303, 364, 366, 370, 371, 374, 376, 377, 396, 486, 487, 504, 894.]

CHAP. 387.—An act amending and supplementary to the act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the act approved May twenty-fourth, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory," as provides that the extension of the Miami canal shall be completed within twenty years, or that the State shall be bound to pay to the United States the amount of any land previously sold, be, and the same is hereby, repealed: *Provided*, That if the State of Ohio shall apply the said lands, or the proceeds of the sales, or any part thereof, to any other use whatever, than in the extension of the Miami canal, before the same shall have been completed, the said grant, for all lands unsold, shall thereby become null and void, and the said State of Ohio shall become liable and bound to pay to the United States the amount for which

Condition of grant of canal lands to Ohio changed.

*See chap. 374.

Proviso.

said land, or any part thereof, may have been sold, deducting the expenses incurred in selling the same: *And provided, also*, That it shall be lawful for the Legislature of said State to appropriate the proceeds of the land so granted, either in extending the said Miami canal from Dayton to Lake Erie, or in the construction of a railroad from the termination of the said canal at Dayton, towards the said lake.

When land on line of the canal shall be sold, other lands to be located.

SEC. 2. *And be it further enacted*, That whenever the line of the said canal, to be extended, as aforesaid, from Dayton to the Maumee river, at the mouth of Auglaize, shall pass over land sold by the United States, it shall be lawful for the Governor of the State of Ohio to locate other lands in lieu of the land so sold: *Provided*, Such locations shall not exceed the number of acres necessary to complete an aggregate quantity equal to one half of five sections in width, on each side of said extended canal.

Approved, April 2, 1880.

[See Part II, Nos. 117, 130, 131, 391.]

CHAP. 388.—An act to amend an act entitled “An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office,” approved the twentieth day of May, one thousand eight hundred and twenty-six.*

*See chapters 340 and 423, sec. 2.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers of the Virginia line on the continental establishment, their heirs or assigns, entitled to bounty land within the tract of country reserved by the State of Virginia, between the Little Miami and Sciota rivers, shall be allowed until the first day of January, one thousand eight hundred and thirty-two, to obtain warrants, subject, however, to the conditions, restrictions, and limitations, relating to locations, surveys, and patents, contained in the act of which this is an amendment.

Virginia military land warrants may issue till January, 1832.

None issued thereafter to be located.

SEC. 2. *And be it further enacted*, That no location shall be made by virtue of any warrant obtained after the said first day of January, one thousand eight hundred and thirty-two, and no patent shall issue in consequence of any warrant obtained after that time. And that the second proviso inserted in the first section of the above-recited act, except only that part thereof which requires “a certificate of the register of the land office of Virginia that no warrant has issued from the said land office for the same services,” be, and the same is hereby, repealed.

Approved, April 23, 1830.

[See Part II, Nos. 3, 35, 43, 106, 113, 114, 115, 116, 121, 134, 136, 187, 236, 237.]

CHAP. 389.—An act to authorize the registers of the several land offices in Louisiana to receive entries of lands in certain cases, and give to the purchasers thereof certificates for the same.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where persons have purchased lands of the United States within the State of Louisiana, and have paid in full therefor, and who have failed or omitted to enter the same, the register of the land office of the district in which the land was purchased shall, on presentation of the original receipt of the receiver of said district by the original purchaser or purchasers of the land, his, her, or their heirs, cause an entry thereof to be made, and give to him, her, or them, a certificate for the same, specifying the time when the land was purchased, upon which a patent shall be issued, as in other cases: *Provided, however,* That if, in the intermediate time between the purchase and presentation of the said receipt, any of the said lands shall have been paid for and entered by any other person or persons, ignorant of the former purchase, the said register shall not enter the same lands, but may permit the party to enter other lands in lieu thereof, of equal quantity, within the same district, which may be subject to entry, and shall give him, her, or them, a certificate therefor, upon which a patent shall issue, as in other cases.

Entries of land sold and paid for, to be perfected.

Approved, May 5, 1830.

CHAP. 390.—An act for further extending the powers of the judges of the superior court of the Territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act approved on the twenty-sixth day of May, one thousand eight hundred and twenty-four, entitled "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims,"* shall be, and hereby is, continued in force, so far as the said act relates to the claims within the Territory of Arkansas, until the first day of July, one thousand eight hundred and thirty-one, for the purpose of enabling the court in Arkansas, having cognizance of claims under the said act, to proceed by bills of review, filed or to be filed in the said court, on the part of the United States, for the purpose of revising all or any of the decrees of the said court in cases wherein it shall appear to the said court, or be alleged in such bills of review, that the jurisdiction of the same was assumed, in any case, on any forged warrant, concession, grant, order of survey, or other evidence, of title; and in every case wherein it shall appear to the said court, on the prosecution of any such bill of review, that

Act of 26th of May, 1824, continued in force till 1st July, 1831, so far as regards claims to land in Arkansas.

*See chapter 305.

Court in Arkansas authorized to revise decrees—

And to reverse and annul them.

such warrant, concession, grant, order of survey, or other evidence of title, is a forgery, it shall be lawful, and the said court is hereby authorized to proceed, by further order and decree, to reverse and annul any prior decree or adjudication upon such claim; and thereupon such prior decree or adjudication shall be deemed and held, in all places whatever, to be null and void, to all intents and purposes. And the said court shall proceed on such bills of review, by such rules of practice and regulations as they may adopt, for the execution of the powers vested or confirmed in them by this act.

Entries in land of
fices suspended.

SEC. 2. *And be it further enacted*, That no entries of land in any of the land offices in Arkansas, under any of the provisions of the said act, shall be made, until the further direction of Congress.

No patents to be
issue on confirmed
claims, unless ori-
ginal title be pro-
duced—

SEC. 3. *And be it further enacted*, That no patent shall be issued for lands, under any decree of the said court, in any case in which the original warrant, concession, grant, or order of survey, has been withdrawn from the files of the said court, unless the person or persons claiming such patent shall first produce and deposite in the office of the Commissioner of the General Land Office the original warrant, concession, grant, or order of survey, on which such decree was founded, and on which the said court took jurisdiction under the said act; and no patent shall be issued until the further order of Congress, in any case, under the said act, until it shall satisfactorily appear to the Commissioner of the General Land Office that the warrant, concession, grant, or order of survey, on which any lands are claimed, under any decree of the said court, was in fact made or issued by or under the authority of the person or persons purporting to have made or issued the same, or unless the said warrant, concession, grant, or order of survey, shall have been determined by the said court, on the hearing of a bill of review, to be genuine.

And its validity es-
tablished.

Further restriction
on making entries
and issuing pa-
tents.

SEC. 4. *And be it further enacted*, That no entry, survey, or patent, shall, at any time hereafter, be made or issued under the said act, except in the name of the original party to any such decree, and on proof, to the satisfaction of the officers, respectively, that the party applying is such original party, or is duly authorized by such original party, or his heirs, to make, receive, or require, such entry, patent, or survey.

In case of reversal,
&c., lands to be
subject to sale.

SEC. 5. *And be it further enacted*, That in all cases in which the said court shall, by decree or adjudication, under this act, review and annul any prior decree or adjudication therein, any lands which may have been heretofore entered, under any such prior decree or adjudication, shall, thereafter, be subject to sale or entry as other public lands of the United States may be.

Additional counsel
may be employed
for U. States.

SEC. 6. *And be it further enacted*, That the President of the United States is hereby authorized to employ, on behalf of the United States, such counsel on their part, in the Territory of Arkansas, or elsewhere, to be associated for that pur-

pose with the district attorney of the same Territory, as he may deem the interests of the United States may require, in the prosecution of such bills of review before the said court.

SEC. 7. *And be it further enacted*, That in all cases the party against whom the judgment or decree of the said court may be finally given shall be entitled to an appeal, within one year from the time of its rendition, to the Supreme Court of the United States, which court shall have power to review the decision of the court below, both on the law and the facts; and the court in Arkansas be, and the same is hereby, required to spread upon the record the whole testimony, together with the reasons for their decision in each case, and to transmit to the Supreme Court of the United States the same, together with the original warrant, concession, grant, order of survey, or other evidence of title.

Appeal to Supreme Court U. States.

SEC. 8. *And be it further enacted*, That each of the judges of the supreme court of the Territory of Arkansas shall, while in the discharge of their duties imposed by this act, be allowed at the rate of eight hundred dollars per annum, in addition to their salary as judges of the superior court for the Territory of Arkansas, which shall be in full for their services, to be paid out of any money in the Treasury not otherwise appropriated.

Extra compensation to judges of Arkansas.

Approved, May 8, 1830.

[See Part II, Nos. 519, 708.]

CHAP. 391.—An act to quiet the titles of certain purchasers of lands between the lines of Ludlow and Roberts, in the State of Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to the Virginia military claimants of lands situated between the two lines in the State of Ohio, commonly called Ludlow's and Roberts's lines, and south of the Greenville treaty line, located prior to the twenty-sixth day of June, in the year of our Lord one thousand eight hundred and twelve, the sum of sixty-two thousand five hundred and fifteen dollars and twenty-five cents, with interest thereon from the fourth March, eighteen hundred and twenty-five, at six per cent. per annum; until paid; being the amount at which said lands were valued, exclusive of improvements, under the act of Congress entitled "An act to authorize the President of the United States to enter into certain negotiations relative to the lands located under Virginia military land warrants, lying between Ludlow's and Roberts's lines, in the State of Ohio: *Provided, however*, That, before the payment of said sum, the said claimant or claimants shall relinquish, by deed or deeds, to the United States, in such manner as

Claimants of Virginia military lands between Ludlow and Roberts's line, indemnified, &c.

With interest.

Title to be relinquished to U. S.

the President shall direct, their title or titles to the said lands.

SEC. 2. *And be it further enacted*, That the payments aforesaid shall be made as directed to the said claimants, according to the valuation of their respective tracts of land, made under the above-recited act of Congress.

Approved, May 26, 1830.

[See Part II, Nos. 35, 43, 134, 136, 137.]

CHAP. 392.—An act to provide for the final settlement of land claims in Florida.

Certain claims to land in Florida confirmed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the claims and titles to land filed before the register and receiver of the land office, acting as commissioners, in the district of East Florida, under the quantity contained in one league square, which have been decided and recommended for confirmation, contained in the reports, abstracts, and opinions, of said register and receiver, transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the fourteenth day of January, one thousand eight hundred and thirty, be, and the same are hereby, confirmed, with the exception of such claims as were confirmed by the Spanish Government subsequent to the twenty-fourth of January, one thousand eight hundred and eighteen, which shall be re-examined and reported, with the evidence, by the register and receiver, before the next session of Congress, to the Secretary of the Treasury, to be laid before Congress.

Excepted claims to be further examined.

Certain conflicting claims to be confirmed.

SEC. 2. *And be it further enacted*, That all the conflicting Spanish claims, reported in obedience to the fourth section of the act of Congress approved May the eighth, one thousand eight hundred and twenty-two,* and recommended for confirmation as valid titles, be, and the same are hereby, confirmed, so far as the United States have any title to the same.

*See chap. 274.

Certain claims derived from the British Government, confirmed.

SEC. 3. *And be it further enacted*, That all claims derived from the former British Government, contained in the reports of the commissioners of East Florida, or the register and receiver, acting as such, who did not avail themselves of the provisions of the treaty between Spain and England, signed at Versailles on the twentieth of January, one thousand seven hundred and eighty-three, by leaving said province, but who remained in the same, and became Spanish subjects, and whose titles were approved by the Spanish authorities, and have been recommended for confirmation by said commissioners, or register and receiver, acting as such, be, and the same are hereby, confirmed.

Remaining claims to be settled.

SEC. 4. *And be it further enacted*, That all the remaining claims which have been presented according to law, and not

finally acted upon, shall be adjudicated and finally settled, upon the same conditions, restrictions, and limitations, in every respect, as are prescribed by the act of Congress, approved twenty-third May, one thousand eight hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida."**

*See chap. 364.

SEC. 5. *Be it further enacted*, That it shall be the duty of the register and receiver to deliver over all papers relative to private land claims in East Florida, to the keeper of the public archives.

Papers relative to claims to be deposited with archives of Florida.

SEC. 6. *And be it further enacted*, That all confirmations of land titles, under this act, shall only operate as a relinquishment of the right of the United States to the said lands, respectively, and shall not be construed either as a guarantee of any such titles, or in any manner affecting the rights of other persons to the same lands.

Effect of confirmation.

SEC. 7. *And be it further enacted*, That so much of the act of twenty-third of May, one thousand eight hundred and twenty-eight,† as directed that the selection of claimants who availed themselves of the first section of said act, by accepting a quantity equal to one league square within their respective grants, which confined the selection to sectional lines, shall not be held to extend to the selection by the claimants of a greater quantity than a section, but the said claimants who have or may hereafter select, under the provisions of said law, any quantity equal to the amount granted, in bodies larger than a section, in the form of any Spanish survey or plat of survey, or where the sections are broken by any river, the said land so selected, or which may be so selected, is hereby confirmed to said claimants; and it shall be the duty of the surveyor general to make a survey and certificate of all such claims, to return the same to the Commissioner of the General Land Office, and thereupon a patent shall issue to the original grantee, or to his assignee, if the land has been sold or transferred to any other person, or to the legal owner by purchase or descent.

Act May 23, 1828, explained, so far as regards the location of claims.
†See chap. 364.

SEC. 8. *And be it further enacted*, That the claimants who are entitled to the provisions of that act, or who may avail themselves of the foregoing provisions of this act, by taking a quantity equal to a league square in lieu of the whole grant, shall be, and they are hereby, allowed the further time of one year, from the passage of this act, to execute their relinquishments, and to file their acceptance of the provisions of said law.

Time for relinquishment extended.

SEC. 9. *And be it further enacted*, That it shall be the duty of the registers and receivers to restore to the claimants the title deeds on which they may have finally rejected the claims.

Deeds of rejected claims to be returned.

Approved, May 26, 1830.

[See Part II, Nos. 19, 705, 823, 830, 833, 850, 857, 864, 870, 872, 875, 878, 883, 891, 895, 896, 897, 934, 951, 957, 959.]

CHAP. 393.—An act to confirm certain claims to lands in the district of Jackson Court-house, in the State of Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Certain claims to land in Jackson district, Mississippi, confirmed.

*See chap. 370.

sembled, That all the claims to lands reported by the register and receiver of the land office for the district of Jackson Court-house, in the State of Mississippi, under the provisions of the act of Congress, approved on the twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the adjustment of land claims in the State of Mississippi," as founded on any order of survey, requette, permission to settle, or other written evidence of claim derived from the Spanish authorities, which ought, in the opinion of the said register and receiver, to be confirmed, and which, by the said reports, appear to be derived from the Spanish Government prior to the twentieth of December, one thousand eight hundred and three, and the land claimed to have been cultivated and inhabited on or before that day, shall be confirmed, in the same manner as if the title had been completed: *Provided,* That, in all such claims, where the plat and certificate of survey, made prior to the fifteenth day of April, one thousand eight hundred and thirteen, under the authority of the Spanish Government, in pursuance of such claim, has not been filed with the said register and receiver, such claim shall not be confirmed to any one person for more than twelve hundred and eighty acres; and that for all the other claims comprised in the reports as aforesaid, and which ought, in the opinion of the register and receiver, to be confirmed, the claimant to such land shall be entitled to a grant therefor, as a donation, not to exceed twelve hundred and eighty acres to any one person: *And provided, also,* That the claim of the representatives of Louis Boisdore, numbered four, in report numbered three, shall not be confirmed to more than twelve hundred and eighty acres; and all the confirmations of the said incomplete titles and grants of donations, hereby provided to be made, shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted, without prejudice to the interests of third persons.

Donations.

revised as to Louis Boisdore's claim.

Donations to actual settlers.

SEC. 2. *And be it further enacted,* That every person, or his or her legal representatives, whose claim is embraced by the said register and receiver in their reports numbers five, six, and seven, of actual settlers, or their legal representatives, not having any written evidence of claim, shall, where it appears by the said reports that the land claimed or settled on had been actually inhabited and cultivated by such person or persons, in whose right the same is claimed, on or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed or settled on, as a donation: *Provided,* That no more than one tract shall be granted to any one person, and the same shall

not exceed six hundred and forty acres, to include his or her improvements, and to be bounded by sectional or divisional lines, and that no lands shall be thus granted which are claimed or recognised by the preceding section.

SEC. 3. *And be it further enacted*, That every person, or his or her legal representatives, comprised in the aforesaid reports of actual settlers, not having any written evidence of claim, who, on the third day of March, one thousand eight hundred and nineteen, did, as appears by those reports, actually inhabit and cultivate a tract of land in the said district, not claimed under any written evidence of title legally derived from the French, British, or Spanish Governments, or granted as a donation, shall be entitled to become the purchaser of the quarter section, or two eighths of any section, on which the improvements may be, and including the same, at the same price for which other public lands are sold at private sale: *Provided*, That the same shall be entered with the register of the land office within the term of two years, or before, if the same shall be offered at public sale: *And provided, also*, That, where any such person is settled on and has improved any school lands in said district, such person shall be governed by the provisions of the fourth section of the act approved on the twenty-second day of April, one thousand eight hundred and twenty-six, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the States of Alabama, Mississippi, and Territory of Florida."

Pre-emption rights granted to actual settlers.

Proviso as to school sections.

SEC. 4. *And be it further enacted*, That the register and receiver of the said district shall possess the same powers, and perform the same duties, in relation to the claims confirmed by this act, as are given to and required of them by the act of Congress of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims and titles to lands, and establishing land offices, in the district east of the island of New Orleans."*

Powers of register and receiver.

*See chap. 273.

Approved, May 28, 1830.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93.]

CHAP. 394.—An act to authorize the register and receiver of the St. Helena land district, in Louisiana, to receive evidence, and report upon certain claims to land mentioned therein.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the register and receiver of the St. Helena land district, in the State of Louisiana, are hereby authorized and required to receive evidence in support of the claim of John McDonogh to a tract of land on the Mississippi river, bounded above by the land of John De Bellevire, and below

John McDonogh's land claim is to be examined.

by lands of Madame A. Duplantier, and said to contain about fourteen arpens in front; also, one other tract of land, situated on the river Amite, alleged to have been originally granted to Domingo Assaretto by Governor Miro, on the eighteenth February, one thousand seven hundred and eighty-eight, containing thirty arpens in front by forty in depth, under whom the said McDonogh claims title.

SEC. 2. *And be it further enacted*, That the said register and receiver shall have the same powers, and perform the same duties, in relation to the said two claims, as was authorized and required of them by the act of the third of March, one thousand eight hundred and nineteen,* and shall report to the Commissioner of the General Land Office an abstract of the evidence furnished in each case, together with their opinion thereon, that the same may be laid before Congress at the commencement of their next session.

Approved, May 28, 1830.

[See Part II, No. 19.]

CHAP. 395.—An act relative to the plan of Detroit, in Michigan Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Governor and judges of the Territory of Michigan, or any three of them, are hereby required to make a report of the plan of laying out the town of Detroit, under and by virtue of an act entitled “An act to provide for the adjustment of titles of land in the town of Detroit, and Territory of Michigan, and for other purposes,” passed the twenty-first April, one thousand eight hundred and six,† one copy of which shall, on or before the first day of January next, be deposited and recorded in the office of the secretary of the Territory of Michigan; and another copy transmitted to the Secretary of State of the United States, to be by him laid before Congress.

Approved, May 28, 1830.

CHAP. 396.—An act to vest in the State of Indiana certain lands within the limits of the canal grant.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be vested in the State of Indiana twenty-nine thousand five hundred and twenty-eight acres and seventy-eight hundredths of the public lands, to be selected by the canal commissioners of said State, from the alternate sections reserved to the United States, in the division made under “An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a

*See chap. 236.

Plan of town of Detroit.

†See chap. 86.

Land granted to Indiana for making Wabash and Erie canal.

canal to connect the waters of the Wabash river with those of Lake Erie," approved March second one thousand eight hundred and twenty-seven,* which shall be in lieu of the aforesaid quantity heretofore sold by the United States, permanently reserved by treaty to individuals, and located by individual grants before the division aforesaid, and which would otherwise have become the property of the said State, in virtue of the act above referred to; the selections aforesaid to be made and reported by the commissioners to the proper land offices, before the reserved sections aforesaid shall be offered for sale.

Approved, May 29, 1830.

CHAP. 397.—An act to protect the surveyors of the public lands of the United States, and to punish persons guilty of interrupting and hindering, by force, surveyors in the discharge of their duty.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person who shall hereafter, in any manner, by threats or force, interrupt, hinder, or prevent, the surveying of the public lands of the United States, or any private land claim which has or may be confirmed by the United States, or the authority thereof, by the persons authorized to survey the same, in conformity with the instructions of the Commissioner of the General Land Office, or the principal surveyors in any of the districts, in any State or Territory, shall be considered and adjudged to be guilty of a misdemeanor, and, upon conviction in any district or circuit court of the United States, in any State or Territory, having jurisdiction of the same, shall be fined a sum not less than fifty dollars nor more than three thousand dollars, and be imprisoned for a period of time not less than one nor more than three years.

Hindrance to surveying lands of the United States—

To be punished.

SEC. 2. *And be it further enacted,* That, whenever the President of the United States shall be satisfied that forcible opposition has been offered, or will likely be offered, to any surveyor, or deputy surveyor, or assistant surveyor, in the discharge of his or their duties, in surveying the public lands of the United States, it shall and may be lawful for the President to order the marshal of the State or district, by himself or deputy, to attend such surveyor, deputy, or assistant surveyor, with sufficient force to protect such officer in the execution of his duty as surveyor, and to remove force, should any be offered.

Surveyors to be protected by force.

Approved, May 29, 1830.

CHAP. 398.—An act to authorize the selection of certain school lands, in the Territory of Arkansas.

When school sections are covered by private claims, other lands may be selected.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That wherever the sixteenth sections in said Territory, either in whole or in part, are now, or may hereafter be, included in private claims held by titles confirmed, or legally decided to be valid and sufficient, other lands equivalent thereto, and most convenient to the same, may be selected in lieu thereof, under the direction of the Secretary of the Treasury; and the lands so selected shall be entered in the office of the register of the land district in which they may lie, and be, by such register, reported to the Commissioner of the General Land Office, as school lands selected under this act: *Provided*, That, before making any entry of such other lands, the case shall be made out to the satisfaction of the register and receiver of said district, agreeably to rules to be prescribed by the Commissioner of the General Land Office, for that purpose, showing that the sixteenth section, or a part thereof, has been included in the manner above mentioned.

Approved, May 29, 1830.

CHAP. 399.—An act to provide for surveying certain lands in the Territory of Arkansas.

Extra price to be paid for surveying certain lands in Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the surveyor general of the States of Illinois, Missouri, and Territory of Arkansas, be, and he is hereby, authorized to contract for, and pay, at the rate of four dollars per mile, for the surveying of such of the public lands in the Territory of Arkansas which lie on the rivers, and are so thickly covered with cane that contracts for executing the surveys thereof, by suitable persons, cannot be made at the existing price: *Provided*, That said surveyor general shall certify to the Commissioner of the General Land Office, from time to time, the quantity of land for the surveying of which the additional compensation allowed by this act shall be contracted for, and the reasons, in his opinion, requiring the increased allowance.

Approved, May 29, 1830.

CHAP. 400.—An act to relinquish the reversionary interest of the United States in certain Indian reservations in the State of Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

sembled, That all the right, title, and interest, which might accrue or revert to the United States, to the reservations of land now claimed and possessed by Conaleskee, commonly called Challenge, James Ore, and Giles McAnulty and his wife Alice, and William Wilson and his wife Peggy Wilson, under a treaty made and concluded between the United States and the Cherokee tribe of Indians, on the eighth day of July, one thousand eight hundred and seventeen; and all the right, title, and interest, which might accrue or revert to the United States, to reservations of land, now claimed and possessed by George Stiggins and Arthur Sizemore, under a treaty made and concluded between the United States and the Creek Indians, at Fort Jackson, on the ninth day of August, one thousand eight hundred and fourteen, all lying in the State of Alabama, he, and the same are hereby, relinquished, and vested in the said reservees, and their heirs, respectively: *Provided*, That the said Conaleskee, commonly called Challenge, James Ore, Giles McAnulty, and William Wilson, George Stiggins, and Arthur Sizemore, with their respective families, shall remove to their respective tribes west of the Mississippi river, not included within any State or Territory; and that the Government of the United States shall not be chargeable with the expense of their removal or transportation, or with any allowance of land to, or on account of, either of them, or their respective families: *And provided, also*, That no conveyance or deed of the said lands, or any part of them, shall be valid or effectual, until every such conveyance or deed shall be submitted to one of the district attorneys for the district of Alabama, for his approbation; and if, after inquiry into the facts and circumstances attending the contracts for the sale of any of the said lands, he shall be satisfied that such contracts are fair, and that the consideration paid or agreed to be paid therefor is adequate, he shall endorse his approbation on each conveyance and deed so approved; and, thereafter, the same be deemed valid and effectual.

Certain Indian reservations; interest of United States therein relinquished.

Conditions.

Approved, May 29, 1830.

[See Part II, No. 47.]

CHAP. 401.—An act to grant pre-emption rights to settlers on the public lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every settler or occupant of the public lands, prior to the passage of this act, who is now in possession, and cultivated any part thereof in the year one thousand eight hundred and twenty-nine, shall be, and he is hereby, authorized to enter, with the register of the land office for the district in which such lands may lie, by legal subdivisions, any number of acres, not more than one hundred and sixty,

Pre-emption right granted to settlers on public land.

or a quarter section, to include his improvement, upon paying to the United States the then minimum price of said land: *Provided, however,* That no entry or sale of any land shall be made, under the provisions of this act, which shall have been reserved for the use of the United States, or either of the several States, in which any of the public lands may be situated.

Where two or more
settlers occupy
same tract.

SEC. 2. *And be it further enacted,* That if two or more persons be settled upon the same quarter section, the same may be divided between the two first actual settlers, if, by a north and south or east and west line, the settlement or improvement of each can be included in a half-quarter section; and in such case the said settlers shall each be entitled to a pre-emption of eighty acres of land elsewhere in said land district, so as not to interfere with other settlers having a right of preference.

Proof of settlem't.

SEC. 3. *And be it further enacted,* That, prior to any entries being made under the privileges given by this act, proof of settlement or improvement shall be made, to the satisfaction of the register and receiver of the land district in which such lands may lie, agreeably to the rules to be prescribed by the Commissioner of the General Land Office for that purpose, which register and receiver shall each be entitled to receive fifty cents for his services therein. And that all assignments and transfers of the right of pre-emption given by this act, prior to the issuance of patents, shall be null and void.

Assignments null
and void.

Public sale not to
be delayed.

SEC. 4. *And be it further enacted,* That this act shall not delay the sale of any of the public lands of the United States beyond the time which has been or may be appointed, for that purpose, by the President's proclamation; nor shall any of the provisions of this act be available to any person or persons who shall fail to make the proof and payment required before the day appointed for the commencement of the sales of lands including the tract or tracts on which the right of pre-emption is claimed; nor shall the right of pre-emption, contemplated by this act, extend to any land which is reserved from sale, by act of Congress, or by order of the President, or which may have been appropriated for any purpose whatsoever.

Limitation of right.

Rights not to ex-
tend to reserved
lands.

SEC. 5. *And be it further enacted,* That this act shall be and remain in force for one year from and after its passage.

Approved, May 29, 1830.

[See Part II, Nos. 15, 25, 41, 42, 55, 56, 57, 58, 60, 64, 65, 72, 74, 77, 83, 85, 88, 93, 129, 146, 152, 370, 371, 376, 377, 382, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 508, 509, 510, 512, 514, 515, 519, 521, 523, 524, 527, 528, 531, 532, 533, 534, 535, 554, page 606, Nos. 583, 566, 567, 570, 571, 573, 584, 585, 586, 587, 588, 590, 597, 599, 610, 611, 892, 909, 1,011, 1,012, 1,014, 1,015.]

CHAP. 402.—An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war.*

*See chapters 423, 442, 461, 482.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the officers and soldiers, sailors and marines, who were in the service of Virginia on her own State establishment during the revolutionary war, and who were entitled to military land bounties by the laws and resolutions of that State, their heirs and assigns, shall be, and they are hereby, authorized to surrender to the Secretary of the Treasury of the United States such of their warrants for the said land bounties as shall remain unsatisfied, in whole or in part, and to receive certificates or scrip for the same, at any time before the first day of January, in the year one thousand eight hundred and thirty-five, which certificates or scrip shall be issued by the said Secretary, and signed by him, and countersigned by the Commissioner of the General Land Office, in the following manner, that is to say: There shall be a separate certificate or scrip for such sum as shall, at the time of issuing the same, be equal to the then minimum price of each quantity of eighty acres of land due by such warrant, and remaining unsatisfied at the time of such surrender, and a like certificate or scrip for such sum as, at the time, shall be equal to the minimum price of the quantity that shall so remain unsatisfied, of any such warrant, after such subdivisions of the amount into quantities of eighty acres. And where any such warrant shall have been lost or mislaid, by time and accident, it shall and may be lawful for the party desiring to surrender the same to surrender an official copy thereof, certified under the seal of the land office of Virginia, with the affidavit of the party endorsed upon or accompanying the same, stating that such warrant has been lost or mislaid, and that the original hath not been sold or transferred, to the knowledge or belief of the party so surrendering, or his or her guardian.

Virginia military bounty land; scrip to be issued for it.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Commissioner of the General Land Office to request the Executive of Virginia to furnish him with a statement of all such warrants, within the purview of this act, as have already issued, showing the number and date of each warrant, and the quantity of acres granted by each, and also a monthly statement of the same description, showing the number, date, and quantity, of such warrants as shall hereafter be granted. And no warrant shall be taken to be within the provisions of this act which shall hereafter be granted, unless the Executive of Virginia shall cause a certificate to be endorsed thereon, signed by some proper officer, stating that the party to whom such warrant shall be so granted, his, her, or their ancestor or devisor, was entitled thereto by some law or resolution of the said State, in force at the time of the deed of cession, by the State of Virginia, to the United States.

Virginia to furnish list of warrants issued.

Certificate of non-location.

SEC. 3. And be it further enacted, That before the Secretary of the Treasury shall issue the scrip required by the provisions of this bill, the applicants shall produce to him the certificate of the register of the land office in Kentucky, and the certificate of the surveyor of the military lands of the Virginia line, that the warrants (when the original is presented, or the copy, when the original has been lost or destroyed,) has not been located, surveyed, or patented, in Kentucky, attested by the seal of his office.

Scrip receivable in payment for public lands.

SEC. 4. And be it further enacted, That the certificates or scrip to be issued by virtue of this act shall be receivable in payment for any lands hereafter to be purchased at private sale, after the same shall have been offered at public sale, and shall remain unsold, at any of the land offices of the United States, established, or to be established, in the States of Ohio, Indiana, and Illinois. And all such certificates or scrip as shall be issued by virtue of this act shall be assignable, by endorsement thereon, attested by two witnesses: *Provided*, That all certificates or scrip to be issued, in virtue of any warrant hereafter to be granted, shall be issued to the party originally entitled thereto, or his heir or heirs, devisee or devisees, as the case may be.

Scrip to issue to original claimant.

Description of persons entitled.

SEC. 5. And be it further enacted, That the provisions of this act shall be deemed and taken to extend to all such officers, soldiers, sailors, marines, chaplains, musicians, surgeons, and surgeon's mates, in the land or sea service of the State of Virginia during the revolutionary war, and, generally, to every person to whom the State had engaged to pay a land bounty for services in that war, of any description, by any law or resolution passed before and in force at the date of the said deed of cession; except only such persons as are mentioned in, and provided for by, the reservation contained in the said deed of cession in favor of the officers and soldiers of the said State on continental establishment: *Provided*, That no scrip issued under the provisions of this act shall entitle the holder to enter or purchase any settled or occupied lands, without the written consent of such settlers or occupants as may be actually residing on said lands at the time the same shall be entered or applied for: *And provided, also*, That the amount of land thus located shall not exceed two hundred and sixty thousand acres.

Limitation of amt of scrip.

This act to extend to claimants of U. States military bounty lands—

SEC. 6. And be it further enacted, That the provisions of the first and fourth sections of this act shall extend to and embrace owners of military land warrants issued by the United States, in satisfaction of claims for bounty land for services during the revolutionary war;* and that the laws heretofore enacted, providing for the issuing said warrants, are hereby revived and continued in force for two years.

*See ante, chapter 376.

And to the Virginia continental line.

SEC. 7. And be it further enacted, That the provisions of this act shall also be deemed and taken to extend to all the unsatisfied warrants of the Virginia army on continental establishment: *Provided*, That the quantity thereof shall not

exceed fifty thousand acres, in addition to the two hundred and sixty thousand acres heretofore authorized to be located by their State line.

Approved, May 30, 1830.

[See Part II, Nos. 35, 43, 79, 115, 134, 136, 137, 236, 237, 365, 367, 370, 382, 414, 429, 434, 450, 455, 457, 458, 472, 495, 535, 543.]

CHAP. 403.—An act authorizing the county of Allen to purchase a portion of the reservation including Fort Wayne.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the associate judges of the county of Allen, and State of Indiana, be, and they are hereby, authorized to enter, at minimum price, for the use and benefit of said county, so much of the forty acres reservation, including Fort Wayne, and reserved for the use of the Indian agency, established there, as may not fall to the State of Indiana, under the act of the second day of March, one thousand eight hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash river with those of Lake Erie."

Site of Fort Wayne sold to Allen county, Indiana.

Approved, May 31, 1830.

CHAP. 404.—An act for the benefit of schools in Lawrence county, Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That one section of the public lands subject to private entry and sale in the State of Mississippi be located for the use and benefits of schools in Lawrence county, in said State, in lieu of the sixteenth section sold and patented to Will Whitehead.

Land granted for a school.

SEC. 2. *And be it further enacted,* That any person appointed by order of the probate court, in and for the county of Lawrence, be, and he is hereby, authorized to locate the quantity of land named in this act, for the purposes above named.

Approved, January 13, 1831.

CHAP. 405.—An act to extend the time for entering certain donation claims to land in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Donation rights to land in Arkansas; two years allowed to enter.

*See chap. 374.

†See chap. 375.

‡See chap. 384.

sembled, That the provisions of the eighth and ninth sections of the act of Congress approved twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory;"* and the provisions of the act entitled "An act restricting the location of certain land claims in the Territory of Arkansas, and for other purposes," approved sixth January, one thousand eight hundred and twenty-nine;† and, also, the provisions of the act entitled "An act to extend the time for locating certain donations in Arkansas," approved thirteenth January, one thousand eight hundred and thirty,‡ be, and the same are hereby, continued in force for the period of two years from the twenty-fourth May, one thousand eight hundred and thirty-one: *Provided*, That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States.

Approved, January 27, 1831.

[See Part II, pages 527, 533.]

§Chapter 140.

CHAP. 406.—An act further supplemental to the act entitled "An act making further provision for settling the claims to land in the Territory of Missouri," passed the thirteenth day of June, one thousand eight hundred and twelve. §

Lots and commons granted to towns and villages in Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States do hereby relinquish to the inhabitants of the several towns or villages of Portage des Sioux, Saint Charles, Saint Louis, Saint Ferdinand, Villa a Robert, Carondelet, Saint Genevieve, New Madrid, New Bourbon, and Little Prairie, in the State of Missouri, all the right, title, and interest, of the United States, in and to the town or village lots, out-lots, common field lots, and commons, in, adjoining, and belonging to, the said towns or villages, confirmed to them, respectively, by the first section of the act of Congress entitled "An act making further provision for settling the claims to land in the Territory of Missouri," passed the thirteenth day of June, one thousand eight hundred and twelve, to be held by the inhabitants of the said towns and villages, in full property, according to their several rights therein, to be regulated or disposed of for the use

of the inhabitants, according to the laws of the State of Missouri.

SEC. 2. *And be it further enacted*, That the United States do hereby relinquish all their right, title, and interest, in and to the town and village lots, out-lots, and common field lots, in the State of Missouri, reserved for the support of schools, in the respective towns and villages aforesaid, by the second section of the above-recited act of Congress; and that the same shall be sold, or disposed of, or regulated, for the said purposes, in such manner as may be directed by the Legislature of said State.

Lots reserved for schools to be disposed of.

Approved, January 27, 1831.

CHAP. 407.—An act to amend the act entitled “An act to quiet the titles of certain purchasers of lands between the lines of Ludlow and Roberts, in the State of Ohio,” approved the twenty-sixth of May, in the year eighteen hundred and thirty.*

*See chap. 391.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in addition to the sum appropriated by the act entitled “An act to quiet the titles of certain purchasers of lands between the lines of Ludlow and Roberts, in the State of Ohio,” approved the twenty-sixth of May, in the year eighteen hundred and thirty, the President of the United States be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Philip Doddridge, the claimant of the Virginia military survey, numbered six thousand nine hundred and twenty-eight, for seven hundred acres, being one of the Virginia military surveys in the said act mentioned, lying between the lines of Ludlow and Roberts, in the State of Ohio, the sum of one thousand seven hundred and sixty-five dollars and sixty-eight cents, with interest at the rate of six per centum per annum, from the fifth day of March, eighteen hundred and twenty-five, until paid; the said Philip having already conveyed to the United States the title to the said seven hundred acres of land, in the manner directed by the President of the United States, pursuant to the provisions of the act of Congress before recited. This act shall commence and be in force from the passing thereof.

P. Doddridge paid for land lying between Ludlow and Roberts's lines.

With interest.

Approved, February 12, 1831.

CHAP. 408.—An act to amend the act granting “certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers,” approved the twenty-third day of May, one thousand eight hundred and twenty-eight.†

†See chap. 365.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Canal around Muscle Shoals to be first completed.

sembled, That it shall and may be lawful for the State of Alabama, by the board of canal commissioners appointed by her for that purpose, to contract for and construct that part of the canal round the Muscle Shoals, beginning at Campbell's ferry, and running up the river to Lamb's ferry, before they contract for or complete that part of the said contemplated canal between Campbell's ferry and Florence; any thing in the act to which this is an amendment to the contrary notwithstanding.

U. S. engineers to furnish plan.

SEC. 2. *And be it further enacted*, That it shall be the duty of the engineers of the United States who have this matter in charge to furnish the said board of commissioners, as soon as practicable, a plan of that section of the canal above contemplated first to be executed, connecting it with the river at or near to Campbell's ferry, and at the most eligible point at or immediately below Lamb's ferry, on the cheapest practicable plan, in conformity with said original act, to be approved by the President of the United States.

Plan prescribed.

SEC. 3. *And be it further enacted*, That the section of said canal above Lamb's ferry shall, by said engineers, be so planned as to connect it with the deep water in the river at or above Lamb's ferry, and the section below Campbell's ferry shall, in like manner, be connected with the deep water at or below said last-mentioned ferry.

Approved, February 12, 1831.

CHAP. 409.—An act to establish a land office in the Territory of Michigan, and for other purposes.

A new land district established in Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the public lands to which the Indian title has been extinguished, lying west of the meridian line, in the Territory of Michigan, shall constitute a new land district; and, for the sale of the public lands within the said district, there shall be a land office established at such place within the district as the President of the United States may designate, who is hereby authorized to change the location of such office, whenever, in his opinion, the public interest may require it.

Land office at Monroe to be removed to place fixed for new office.

SEC. 2. *And be it further enacted*, That the land office now established at Monroe shall be removed to the place designated for the location of this office, and the register and receiver of the Monroe land office shall superintend the sales of public lands within said district, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of public lands.

SEC. 3. *And be it further enacted*, That all the public lands lying east of the meridian line in the Territory aforesaid, which are not now embraced in the district of Detroit, be, and they are hereby, attached thereto; and it shall be the duty of the register and receiver of the land office in said district to deposit in the land office at Detroit all the records, books, and papers, surveys, &c., which pertain to said land office at Monroe, which shall be kept by the register and receiver of the land office at Detroit, as a part of the records of said office.

Detroit district extended, so as to include Monroe district.

SEC. 4. *And be it further enacted*, That all such public lands as shall have been offered for sale to the highest bidder at Monroe or Detroit, pursuant to any proclamation of the President of the United States, and which are embraced within the provisions of this act, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale, by the registers of the land offices to which they are hereby attached; and all provisions of law applicable to the public lands, to which this act applies, shall continue in full force and effect.

Lands to be entered and sold at their appropriate offices.

SEC. 5. *And be it further enacted*, That so much of the State of Illinois as lies between the Illinois and Mississippi rivers, bounded on the south by the base line, on the north by the northern boundary of that State, and on the extreme east by the third principal meridian, be formed into a separate land district, the office for which to be located where it will best accommodate purchasers and others, by the President; and a register and receiver shall be appointed at such time as the President of the United States shall deem proper.

New land district established in Illinois.

SEC. 6. *And be it further enacted*, That another district be also formed in that State, on the north of the dividing line between townships sixteen and seventeen north of the base line, and east of the third principal meridian, including all that part of the State, to its northern boundary, the office for which to be located, by the President, where the public interest and the convenience of purchasers may require; and a register and receiver shall be appointed at such time as the President of the United States shall deem proper.

Another new district established in Illinois.

SEC. 7. *And be it further enacted*, That the registers and receivers shall reside, respectively, at the places where the land offices are located, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio.

Residence, security, &c., of registers and receivers.

SEC. 8. *And be it further enacted*, That the said lands shall be disposed of in the same manner, and on the same terms and conditions, as are or may be provided by law for the sale of other lands of the United States: *Provided*, That

Sale of lands.

no tracts of land excepted from sales by virtue of any former acts shall be sold by virtue of this act.

Fort Wayne district, in Indiana, extended.

SEC. 9. *And be it further enacted*, That all the lands to which the Indian title is extinguished, lying in that part of the State of Indiana which is east of the Lake Michigan, bordering upon the northern line of said State, and not attached to any land district, shall be, and the same are hereby, attached to the Fort Wayne district.

Approved, February 19, 1831.

[See Part II, No. 64.]

CHAP. 410.—An act to alter and amend “An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive.”*

*See ante, chaps. 203, 264; and 443, post.

Those members of the Tombecbee Association who have complied with the law to have patents issued to them.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all persons entitled to lands, under a contract entered into on the eighth of January, eighteen hundred and nineteen, by the Secretary of the Treasury on the part of the United States, and Charles Villar, agent of the Tombecbee Association, in pursuance of “An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive,” approved on the third of March, eighteen hundred and seventeen, their heirs, devisees, or assigns, who appear by the report of William L. Adams, special agent of the Treasury, appointed in compliance with a resolution of the Senate, passed the twentieth of May, eighteen hundred and twenty-six, to have complied with the conditions of settlement and cultivation, as stipulated for in said contract, or who shall hereafter make it appear, to the satisfaction of the Secretary of the Treasury, that they have so complied, shall, on paying into the Treasury one dollar and twenty-five cents the acre, previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same.

Other members of same association to have same right.

SEC. 2. *And be it further enacted*, That all persons who became entitled to an allotment of land under said contract, their heirs, devisees, or assigns, who have failed to comply with the conditions of settlement and cultivation within the period required thereby, who at the time of the passage of this act shall be in the actual occupancy and cultivation of the same, shall, on paying into the Treasury one dollar and twenty-five cents the acre, previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same.

Same to widows and children.

SEC. 3. *And be it further enacted*, That the widow and children of any person who became entitled to an allotment of land under said contract, and died without performing the conditions required, shall, on paying into the Treasury one dollar and twenty-five cents per acre, previous to the third

of March, eighteen hundred and thirty-three, receive a patent for the same.

Approved, February 19, 1831.

[See Part II, Nos. 87, 88, 380, 411, 415, 433, 435, 444, 560.]

CHAP. 411.—An act supplemental to an act, passed on the thirty-first March, one thousand eight hundred and thirty, entitled “An act for the relief of purchasers of public lands, and for the suppression of fraudulent practices at the public sales of lands of the United States.”*

*See chap. 396.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all purchasers, their heirs or assignees, of such of the public lands as were sold on a credit for a less price than fourteen dollars per acre, and on which a further credit has been taken under any of the laws passed for the relief of purchasers of public lands, and which lands have reverted to the United States on account of the balance due thereon not having been paid or discharged, agreeably to said relief laws, shall be entitled to patents without further payment, in all instances where one dollar and twenty-five cents or a greater sum per acre shall have been paid; or where payment to that amount shall not have been heretofore made, such purchasers, their heirs or assignees, shall have the right of pre-emption until the fourth day of July, one thousand eight hundred and thirty-one, by paying into the proper land office such sum, in addition to the amount heretofore paid, as will together amount to the minimum price of the lands of the United States at the time of such payment.

Further relief to purchasers of public lands.

SEC. 2. *And be it further enacted*, That all such occupants of relinquished land as are contemplated and described in the second section of the above-recited act, to which this is a supplement, as are in possession of land which was sold on credit for a less sum than fourteen dollars per acre, shall have the right of pre-emption of the same lands, according to the legal subdivisions of sections, not exceeding the quantity of two quarter sections in contiguous tracts or contiguous to other lands held by such occupants, respectively, until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into the proper office for all land originally sold for a price not exceeding five dollars per acre, one dollar and twenty-five cents per acre; and for all lands which originally sold for more than five dollars, and not exceeding fourteen dollars, per acre, the amount of the first instalment heretofore paid; such occupant first proving their possession, respectively, in conformity to the provisions of the said act, to which this is a supplement, in the manner which has been prescribed by the Commissioner of the General Land Office, pursuant to the provisions thereof: *Provided, however*, That in all cases where proof of possession has

Certain occupants.

To have pre-emption right.

Until July 4, 1831.

been already made under said recited act, proof shall not again be required unless the applicant choose to take other land than that to which such proof applies.

Relief extended to
purchasers of town
lots.

SEC. 3. *And be it further enacted,* That the provisions of this act shall extend to all town property of which the Government has been proprietors, and not subsequently sold, when full payment has not been made: *Provided,* The original purchasers, or their assignees, pay into the proper land office, on or before the fourth of July, one thousand eight hundred and thirty-two, one half of the original purchase-money, without interest.

Approved, February 25, 1831.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 373, 374, 376, 377, 396, 496, 504.]

CHAP. 412.—An act for the sale of the lands in the State of Illinois reserved for the use of salt springs on the Vermillion river, in that State.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Illinois shall be, and is hereby, authorized and empowered to cause to be sold and conveyed, in such manner and on such terms and conditions as the Legislature of said State has or may direct, the whole or any part of the lands reserved and set apart by the President of the United States, on the twenty-ninth day of March, eighteen hundred and twenty-five, for the use of the salt works on the Vermillion river, in said State, and to apply the proceeds of such sale to such objects as the Legislature of said State has or may direct: *Provided,* Said land shall not be sold for less than one dollar and twenty-five cents per acre.

Approved, March 2, 1831.

Lands reserved for
salt works on Ver-
million river, to be
sold.

CHAP. 413.—An act granting a quantity of land to the Territory of Arkansas, for the erection of a public building at the seat of Government of said Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislature of the Territory of Arkansas be, and they are hereby, authorized to select, or cause to be selected, a quantity of the unappropriated public lands in the Territory of Arkansas, not exceeding ten sections, and in portions not less than one quarter section, which is hereby granted to said Territory, for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of Government of said Territory.

Land granted Ar-
kansas, to aid in
erecting public
building at Little
Rock.

SEC. 2. *And be it further enacted,* That the Legislature of said Territory be, and they are hereby, authorized to adopt such measures for the sale of said tract of land, or any part

thereof, at such times and manner, and convey the same by such deeds, as they shall deem expedient; and upon the presentation of such deeds of conveyance as shall be adopted by said Legislature, and given to the purchasers, to the Commissioner of the General Land Office, it shall be the duty of the President to issue patents to the purchasers, as in other cases.

Approved, March 2, 1831.

[See Part II, Nos. 68, 120.]

CHAP. 414.—An act confirming the selections heretofore made of lands for the construction of the Michigan road, in the State of Indiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the selections and locations heretofore made by the State of Indiana, of the Michigan road lands, so far as they may remain unsold, be, and the same are hereby, sanctioned and confirmed; and that other public lands in Indiana, in lieu of those already sold, shall be selected, under the same authority that the original selections and locations were made: *Provided,* That no selections or locations shall hereafter be made, for the purpose aforesaid, until the authority of the State of Indiana shall cause to be made to the General Land Officer an accurate survey and plat of the said road, throughout its entire line.

Selections of land for Michigan road, confirmed.

SEC. 2. *And be it further enacted,* That the land offices at Crawfordsville and Fort Wayne shall be duly notified, by the State authority, of the selections made in virtue of this act; after which, no sales thereof shall be made.

Approved, March 2, 1831.

CHAP. 415.—An act to authorize the Territory of Florida to open a canal through the public lands between Chipola river and Saint Andrew's bay, in West Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Territory of Florida be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of a canal by which to connect the navigation of the river Chipola and Saint Andrew's bay, in West Florida, and to cut the same through the public lands; and ninety feet of land on each side of said canal shall be reserved from sale on the part of the United States, and the use thereof be forever vested in the Territory, or such company as shall be organized by them, for a canal, and for no other purpose whatever.

Chipola canal may be cut through public lands.

SEC. 2. *And be it further enacted,* That if the said Ter- Condition.

ritory shall not survey and direct by law said canal to be opened, and furnish the Commissioner of the General Land Office a map thereof, within two years from and after the date of this act, or if the said canal be not completed suitably for navigation within five years thereafter, or if said land hereby granted shall ever cease to be used and occupied for the purpose of constructing and keeping in repair a canal suitable for navigation, the reservation and grant aforesaid shall be void and of no effect: *Provided*, That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed to imply any obligation on the part of the United States to appropriate money to defray the expense of surveying or opening the said canal: *And provided, likewise*, That the said canal, when completed by said Territory, or by an incorporated company, under the authority of the same, shall be and forever remain a public highway for the use of the Government of the United States, free from any toll or charge whatever for any property of the United States, or persons in their service, on public business, passing through the same.

Canal to be free of
tolls to the United
States.

Adjacent lands to
be reserved from
sale.

SEC. 3. *And be it further enacted*, That every section of land through which the said canal route may pass shall be, and the same is hereby, reserved from sale, under the direction of the Government of the United States, until hereafter specially directed by law; and the said Territory, or company incorporated by them, are hereby authorized, without waste, to use any materials on the public lands adjacent to said canal that may be necessary to its construction.

Same privileges
granted to Matanzas
and Halifax
canal.

SEC. 4. *And be it further enacted*, That the said Territory, or any incorporated company under their authority, be, and they are hereby, authorized to open, through the public lands of the United States, a canal from Matanzas to Halifax river, in East Florida, upon the same conditions, restrictions, and limitations, in every respect, as are prescribed in the foregoing provisions of this act; and the same lands shall be reserved, in like manner, for the objects specified, and for no other.

Approved, March 2, 1831.

CHAP. 416.—An act to authorize the State of Illinois to surrender a township of land granted to said State for a seminary of learning, and to locate other lands in lieu thereof.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Illinois be, and is hereby, authorized to relinquish to the United States township number five north, of range number one west, situate in the county of Fayette, in said State, heretofore granted to the said State for the use of a seminary of learning, and to locate upon the public lands within said State, the sale of which is authorized

Exchange of land
authorized with
seminary of learn-
ing in Illinois.

by law, one entire township of land, or a quantity of land equal thereto, in tracts of not less than the quarter of a section.

Approved, March 2, 1831.

CHAP. 417.—An act to ascertain and mark the line between the State of Alabama and the Territory of Florida, and the northern boundary of the State of Illinois, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be run and marked the boundary line between the State of Alabama and the Territory of Florida, by the surveyors general of Alabama and Florida, on the thirty-first degree of north latitude, and it shall be the duty of the surveyor general of Florida to connect the public surveys on both sides with the line so run and marked.

Survey, boundary of Alabama and Florida.

SEC. 2. *And be it further enacted*, That patents shall be issued for such tracts of land as were sold and paid for at the land office at Tallahassee, in the Territory of Florida, as are found to be situate within the limits of the district of lands subject to sale at Sparta, in Alabama, agreeably to the terms of the act organizing that district; and the said entries and sales shall be as valid, in every respect, as if they had been made in the land district of Alabama.

Patents for certain lands to issue.

SEC. 3. *And be it further enacted*, That the President of the United States is hereby authorized to cause the surveyor general of the United States for the States of Illinois and Missouri, and the Territory of Arkansas, to act as a commissioner on the part of the United States, whenever he shall be duly informed that the Government of the State of Illinois shall have appointed a commissioner on its part, the two to form a board, to ascertain, survey, and mark, the northern line of the State of Illinois, as defined in the act of Congress entitled "An act to enable the people of the Illinois Territory to form a constitution and State Government," [and for the admission of such State into the Union on an equal footing with the original States,] passed the eighteenth of April, one thousand eight hundred and eighteen;* and in case of vacancy in said office of commissioner, or of his being unable to act from any cause, the President is authorized to fill such vacancy by the appointment of some other qualified person, whenever it may be necessary, until the object of the commission shall be attained.

Survey northern boundary of Illinois.

*Chapter 217.

SEC. 4. *And be it further enacted*, That the said board of Surveyors, &c. commissioners shall have power to employ the necessary surveyors and laborers, and shall meet at such time and place as may be agreed upon by the President of the United States and the Government of the State of Illinois, and proceed to

ascertain, survey, and mark, the said northern line of the State of Illinois, and report their proceedings to the President of the United States and the Governor of the State of Illinois.

Compensation of
commissioners.

SEC. 5. *And be it further enacted*, That the President may allow to the said commissioner of the United States such compensation for his services as shall seem to him reasonable, provided it does not exceed the allowance made by the State of Illinois to the commissioner on its part; and the said allowance, together with one half of the necessary expenses of said board, and the surveyors and laborers, and the allowance to be made to the surveyors general of the State of Alabama and the Territory of Florida, and the necessary expenses incurred by them in running and marking said line between said State and Territory, shall be paid from the Treasury of the United States, out of any money not otherwise appropriated; and, to enable the President to carry this act into effect, there is hereby appropriated the sum of two thousand dollars.

Appropriation.

Approved, March 2, 1831.

[See Part II, No. 445.]

CHAP. 418.—An act for the relief of certain holders of certificates issued in lieu of lands injured by earthquakes in Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the legal owners of any certificates of new location issued under the act of seventeenth February, one thousand eight hundred and fifteen, for the relief of persons whose lands were injured by earthquakes in Missouri,* which may have been located upon lands any part of which has been adjudged to any person or persons as a right of pre-emption, shall be authorized to locate such warrants upon such lands as are liable to entry at private sale: *Provided*, That, previous to making such new location, the legal owners aforesaid shall relinquish to the United States all claim to the previous location: *And provided, further*, That such locations shall be made, and patents issued therefor, under the same regulations and restrictions as if the locations had been made under the provisions of the second section of the act of the twenty-sixth April, one thousand eight hundred and twenty-two, entitled "An act to perfect certain locations and sales of the public lands in Missouri."†

New Madrid grants may be located on any lands subject to sale.

*Chapter 175.

†Chapter 265.

SEC. 2. *And be it further enacted*, That this act shall remain in force for the term of eighteen months from the passage thereof.

Approved, March 2, 1831.

[See Part II, Nos. 10, 11, 12, 15, 17, 23, 62.]

CHAP. 419.—An act to create the office of surveyor of the public lands for the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a surveyor general for the State of Louisiana shall be appointed, who shall have the same authority, and perform the same duties, respecting the public lands and private land claims in the State of Louisiana, as are now vested in and required of the surveyor of the lands of the United States south of the State of Tennessee, or the principal deputy surveyors in the said State; and that, from and after the first day of May next, the office of principal deputy surveyors, as created by the ninth section of the act of Congress of the twenty-first day of April, eighteen hundred and six, entitled "An act supplementary to an act entitled 'An act for ascertaining and adjusting the titles and claims to lands within the Territory of Orleans and district of Louisiana,'"* be, and the same are hereby, abolished; and it shall be the duty of the said principal deputy surveyors to surrender to the surveyor general of Louisiana, or to such person or persons as he may appoint to receive the same, all the maps, books, records, field notes, documents, and articles, of every description, appertaining or in any wise belonging to their offices, respectively.

Surveyor general for Louisiana to be appointed.

*See chapter 84.

SEC. 2. *And be it further enacted*, That the principal deputy surveyor for the district east of the island of New Orleans be, and he hereby is, required to separate and arrange the papers in his office; and all the maps, records, papers, and documents, of every description, which refer to lands in the State of Louisiana, shall be delivered to the order of the surveyor general for that State; and such of them as refer to lands in the State of Alabama shall be delivered to the surveyor for the State of Alabama; and such of them as refer to the lands in the State of Mississippi, together with such maps, papers, records, and documents, in the office of said principal deputy surveyor, as are not hereby required to be delivered to the surveyor general of the State of Louisiana, or to the surveyor for the State of Alabama, shall be delivered to the order of the surveyor of the lands of the United States south of the State of Tennessee; and the office of said principal deputy shall be, and the same is hereby, abolished, from and after the first day of May next; and the powers and duties now exercised and performed by the said principal deputy surveyor, shall be vested in and performed by the aforesaid surveyors, within their respective States.

Certain documents to be delivered to the surveyors of Louisiana, Alabama, and Mississippi.

Office of deputy surveyor east of New Orleans abolished.

SEC. 3. *And be it further enacted*, That it shall be the duty of the surveyor south of the State of Tennessee to deliver to the surveyor general of the State of Louisiana all the maps, papers, records, and documents, relating to the public lands and private claims in Louisiana, which may be in his office; and, in every case where it shall be impracticable to

Surveyor of Mississippi to deliver papers to surveyor of Louisiana.

make a separation of such maps, papers, records, and documents, without injury to the portion of them relating to lands in Mississippi, it shall be his duty to cause copies thereof, certified by him, to be furnished to the surveyor general of Louisiana, and which copies shall be of the same validity as the originals.

Deputy surveyors
to be appointed.

SEC. 4. *And be it further enacted*, That the surveyor general of Louisiana shall appoint a sufficient number of skilful and experienced surveyors as his deputies, who, with one or more good and sufficient sureties, to be approved by said surveyor general, shall enter into bond for the faithful performance of all surveying contracts confided to them, in the penalty of double the amount of money accruing under the said contracts, at the rate per mile stipulated to be paid therein; and who, before entering on the performance of their duties, shall take an oath, or make affirmation, truly, faithfully, and impartially, to the utmost of their skill and ability, to execute the trust confided to them; and, in the event of the failure of a deputy to comply with the terms of his contract, unless such failure shall be satisfactorily shown by him to have arisen from causes beyond his control, he shall forfeit the penalty of his bond on due process of law, and ever afterwards be debarred from receiving a contract for surveying public lands in Louisiana or elsewhere.

Location of office
of the surveyor.

SEC. 5. *And be it further enacted*, That the surveyor general to be appointed in pursuance of this act shall establish his office at such place as the President of the United States may deem most expedient for the public service; and that he shall be allowed an annual salary of two thousand dollars, and that he be authorized to employ one skilful draughtsman and recording clerk, whose aggregate compensation shall not exceed one thousand five hundred dollars per annum; and that the fees heretofore authorized by law for examining and recording surveys, be, and the same are hereby, abolished; and any copy of a plat of survey, or transcript from the records of the office of the said surveyor general, shall be admitted as evidence in any of the courts of the United States or Territories thereof; and, for every copy of a plat of survey, there shall be paid twenty-five cents, and for any transcript from the records of said office, there shall be paid at the rate of twenty-five cents for every hundred words, by the individuals requiring the same.

His salary.

Fees.

Provision for the
settlement of con-
flicting claims in
Louisiana.

SEC. 6. *And be it further enacted*, That, in relation to all such confirmed claims as may conflict, or in any manner interfere with each other, the register of the land office and receiver of public moneys for the proper land district are hereby authorized to decide between the parties, and shall, in their decision, be governed by such conditional lines or boundaries as have been or may be agreed upon between the parties interested, either verbally or in writing; and in case no lines or boundaries be agreed upon between the parties interested, then the said register and receiver are hereby

authorized to decide between the parties, in such manner as may be consistent with the principles of justice; and it shall be the duty of the surveyor general of the said State to have those claims surveyed and platted in accordance with the decisions of the register and receiver: *Provided*, That the said decisions and surveys, and the patents which may be issued in conformity thereto, shall not in any wise be considered as precluding a legal investigation and decision, by the proper judicial tribunal, between the parties to any such interfering claims, but shall only operate as a relinquishment, on the part of the United States, of all title to the land in question.

SEC. 7. *And be it further enacted*, That all the lands to which the Indian title has been extinguished, lying north of the northern boundary of the State of Illinois, west of Lake Michigan, and east of the Mississippi river, shall be surveyed in the same manner, and under the same regulations, provisions, restrictions, and reservations, as the other public lands are surveyed.

Mode of surveying lands in western division of Michigan Territory.

SEC. 8. *And be it further enacted*, That the Legislature of the State of Missouri be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the use of a seminary of learning in said State, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied, by the Legislature of said State, solely to the use of such seminary, and for no other use or purpose whatsoever. And that the Legislature of said State of Missouri shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the salt springs, not exceeding twelve in number, and six sections of land adjoining to each, granted to said State by the United States for the use thereof, and selected by the Legislature of said State, on or before the first day of January, one thousand eight hundred and twenty-five, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said Legislature, for the purpose of education in said State, and for no other use or purpose whatsoever.

Lands granted for seminary in Missouri, may be sold, &c.

Salt springs in Missouri may be sold, and proceeds applied to education.

Approved, March 3, 1831.

[See Part II, Nos. 19, 711, 899, 902, 903, 904, 905, 911, 912, 913, 917, 919, 942, 943, 972.]

CHAP. 420.—An act to authorize the State of Illinois to sell twenty thousand acres of the saline lands in said State.*

*See act of May 24, 1836; ante, ch. 373.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Illinois be, and is, authorized and empowered to sell and dispose of twenty thousand acres [in addition to the thirty thousand acres heretofore authorized to be sold] of the lands granted to said State for the use and

State of Illinois may sell lands reserved for salt works.

support of the salt works, known by the name of the "Ohio Saline," in the county of Gallatin, in said State; the said twenty thousand acres of land to be selected and sold, and the proceeds thereof applied in such manner as the General Assembly of Illinois have directed, or hereafter may direct.

Approved, January 19, 1832.

CHAP. 421.—An act supplementary to an act to grant pre-emption rights to settlers on public lands.*

*See ch. 401, ante; and ch. 446, post.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the passage of this act, all persons who have purchased under an act entitled "An act to grant pre-emption rights to settlers on the public lands,"† approved the twenty-ninth of May, one thousand eight hundred and thirty, may assign and transfer their certificates of purchase, or final receipts, and patents may issue in the name of such assignee, any thing in the act aforesaid to the contrary notwithstanding.

Approved, January 23, 1832.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 65, 72, 77, 83, 88, 129, page 606.]

CHAP. 422.—An act to direct the manner of issuing patents on confirmed land claims in the Territory of Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all patents that are or may be by law directed to be issued on private land claims confirmed by the commissioners of private land claims, and by the several acts of Congress approving their reports and confirming the titles to lands in the Territory of Florida, shall be, and they are hereby, required to be issued to the confirmees, or to the assignee, or present owner, where the land has been sold or transferred since the confirmation of the title; and it shall be the duty of the Commissioner of the General Land Office, upon the production of satisfactory proof of the death of the confirmee, or upon the production of a regular chain of title from the confirmee, to cause the patent to be issued to the heirs and legal representatives, or to the assignees of the confirmee, as the case may be.

Approved, January 23, 1832.

Certificate of pre-emption rights may be transferred.

†Chapter 401.

Patents for confirmed claims in Florida may be issued to heirs or assignees.

CHAP. 423.—An act explanatory of the act entitled “An act for the relief of officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war,” approved thirtieth May, one thousand eight hundred and thirty.*

*See chs. 402, 422, and 462.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act entitled “An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war,” approved thirtieth May, one thousand eight hundred and thirty, shall not be construed to extend to any land warrants heretofore issued, which have been located, surveyed, or patented, on the lands reserved and set apart for the satisfaction of the military bounty lands due to the officers and soldiers of the Virginia line upon continental establishment, or for the satisfaction of the officers and soldiers of the continental army.

Virginia military land warrants, act of 20th May, 1830, not to extend to cases where patents have issued.

SEC. 2. *And be it further enacted,* That the provisions of the third section of the act entitled “An act to extend the time for locating Virginia military land warrants and returning surveys thereon to the land office,”† approved twentieth May, one thousand eight hundred and twenty-six, be, and the same is hereby, continued in force for seven years from and after the first day of June, one thousand eight hundred and thirty-two; and the proprietors of any location, survey, or patent, contemplated by the aforesaid section, may avail themselves of the provisions of the said section in the cases therein enumerated.

Third section of act 20th May, 1826, extended for seven years.

†See chapter 340.

Approved, March 31, 1832.

[See Part II, Nos. 35, 43, 134, 136, 137, 236, 237, 429, 434, 457, 458, 472, 495.]

CHAP. 424.—An act supplementary to the several laws for the sale of the public lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the first day of May next, all the public lands of the United States, when offered at private sale, may be purchased, at the option of the purchaser, either in entire sections, half sections, quarter sections, half-quarter sections, or quarter-quarter sections; and in every case of a division of a half-quarter section, the line for the division thereof shall run east and west, and the corners and contents of quarter-quarter sections, which may thereafter be sold, shall be ascertained, as nearly as may be, in the manner and on the principles directed and prescribed by the second section of an act entitled “An act concerning the mode of surveying the public lands of the United States,”‡ passed on the eleventh day of February, eighteen hundred and five; and

Public lands may be sold in quarter-quarter (sixteenth) sections.

‡See chap. 72.

fractional sections, containing fewer or more than one hundred and sixty acres, shall, in like manner, as nearly as may be practicable, be subdivided into quarter-quarter sections, under such rules and regulations as may be prescribed by the Secretary of the Treasury: *Provided*, That this act shall not be construed to alter any special provision made by law for the sale of land in town lots: *And provided, also*, That no person shall be permitted to enter more than one half-quarter section of land under this act in quarter-quarter sections in his own name, or in the name of any other person, and in no case unless he intends it for cultivation or for the use of his improvement. And the person making application to make an entry under this act shall file his and her affidavit, under such regulations as the Secretary of the Treasury may prescribe, that he or she makes the entry in his or her own name, for his or her own benefit, and not in trust for another: *Provided further*, That all actual settlers, being housekeepers, upon the public lands, shall have the right of pre-emption to enter, within six months after the passage of this act, not exceeding the quantity of one half-quarter section, under the provisions of this act, to include his or their improvements, under such regulations as have been or may be prescribed by the Secretary of the Treasury; and in cases where two persons shall live upon the same quarter section, subject to be entered under the provisions of this act, each shall have the right to enter that quarter-quarter section which includes his improvements.

Pre-emption rights
granted to actual
settlers.

Approved, April 5, 1832.

[See Part II, Nos. 15, 41, 42, 55, 56, 57, 58, 60, 64, 65, 72, 77, 83, 84, 85, 88, 93, 393, 399, 455, 506, 507, 509, 510, 511, 512, 513, 514, 515, 517, 518, 519, 520, 521, 522, 525, 526, 528, 529, 532, 533, 534, 535, 543, 567, 581, 599, 606, 725, 922, 925, 926, 927, 928, 935, 971, 972.]

CHAP. 425.—An act authorizing the Governor of the Territory of Arkansas to lease the salt springs in said Territory, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the salt springs lying on the Washita river, on Little river, and on Saline creek, in said Territory of Arkansas, together with as many contiguous sections to each of said springs as shall be equal to one township, and every other salt spring which may be discovered in said Territory, with the section of one mile square which includes it, shall be reserved for the future disposal of the United States, and shall not be liable to be entered, located, or appropriated, for any other purpose whatever.

Salt springs, &c. in
Arkansas reserved
from sale.

SEC. 2. *And be it further enacted*, That the Governor of said Territory shall be, and is hereby, authorized to let out or lease said springs, for a term not exceeding five years; and

Governor author-
ized to lease out
salt springs.

the rents and profits arising from said springs shall be applied, by the Legislature of said Territory, to the opening and improving such roads, in said Territory, as said Legislature may direct, and to no other purpose whatever.

SEC. 3. *And be it further enacted*, That the Hot springs in said Territory, together with four sections of land including said springs, as near the centre thereof as may be, shall be reserved for the future disposal of the United States, and shall not be entered, located, or appropriated, for any other purpose whatever.

Hot springs in Arkansas reserved.

Approved, April 20, 1832.

CHAP. 426.—An act providing for the postponement of the trial of certain cases now pending in the superior courts of Arkansas Territory, and for withholding from sale or entry certain lands in said Territory.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the district attorney of the United States for the Territory of Arkansas be, and he is hereby, authorized and required to postpone, until after the expiration of the next session of the Supreme Court of the United States, all further proceedings in any case which has been tried, or now is pending for trial, in the superior court of the Territory of Arkansas, upon which bills of review have been filed in said superior court on the part of the United States, under the provisions of an act passed May the eighth, one thousand eight hundred and thirty, entitled* “An act for further extending the powers of the judges of the superior court of the Territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes:” *Provided, however*, That nothing in this act shall be applicable to any of the aforesaid cases now pending for trial on appeals in the Supreme Court of the United States: *And provided, also*, That nothing herein contained shall prejudice the rights of any of the parties: *And provided, also*, That no extra compensation shall be allowed said judges until after the termination of the next term of the Supreme Court of the United States, after which the judges shall proceed to dispose of said cases under the provisions of said acts, and then be allowed the additional compensation from said time, until the cases are disposed of, or tried, by the said courts of Arkansas.

Trial of certain land causes in courts of Arkansas further suspended.

*See chap. 390.

Proviso, as to extra pay of judges.

SEC. 2. *And be it further enacted*, That the President of the United States shall cause all the lands the titles to which are involved in, or dependent upon, the trial of said bill of review, which are claimed by purchasers after the rendition of the original judgment, to be withheld from sale until the further order of Congress.

Lands to be affected by the trials, to be withheld from sale.

Approved, April 20, 1832;

CHAP. 427.—An act for the relief of Jefferson College, in the State of Mississippi.

Jefferson College
may relinquish
certain lands—

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the trustees of Jefferson College, in the State of Mississippi, be, and they are hereby, authorized to relinquish, by a resolution of the board, all the right, title, and interest, of said college, in and to certain lands, to be particularly described in said resolution by the sectional numbers, being in township number ten, of ranges numbers one and two west, in the district of lands offered for sale at St. Stephen's, heretofore reserved for the use of said college; and an attested copy of said resolution, signed by the president and secretary of the board, under the corporate seal of the institution, shall be placed on file in the General Land Office, and operate as a full release of all claim to said lands on the part of said college.

And may locate
other lands in lieu
thereof.

SEC. 2. *And be it further enacted*, That the board of trustees of said college, under the superintendence of the Secretary of the Treasury, shall be, and is hereby, authorized to locate or enter, or cause to be located or entered, in tracts not less in quantity than two sections in one body, such a number of sections, or legal subdivisions of sections, of the unappropriated land of the United States, within the State of Mississippi, as may be equal in number to those which may be relinquished by said board in virtue of the first section of this act, to be selected, entered, or located, either before or after the same may have been offered at public sale, conforming, in such entries or locations, to the legal subdivisions established by the surveys made or to be made under the authority of the United States; and such entries or locations shall be made with the register of the land office for the district in which the land so entered or located may lie; and it shall be the duty of such register to designate such land on the maps and other books in his office, in the same manner as lands sold by him, and to issue in each case a certificate of such entry or location, in the form to be prescribed by the Commissioner of the General Land Office, which certificate shall vest a full and complete title to the land described therein in Jefferson College, and thereupon a patent shall issue.

Trustees may sell
or lease the lands.

SEC. 3. *And be it further enacted*, That the board of trustees of Jefferson College be, and they are hereby, authorized and permitted to sell or lease, for any term of years, the lands which may be entered or located by virtue of this act, for the benefit of said college, and the deed or deeds of the said trustees shall vest a valid title in fee simple in all lands sold by them in virtue of the authority herein conferred: *Provided*, That the proceeds of such sale shall constitute a permanent fund for the use of said college.

Trustees may
transfer right of lo-
cation or entry to
individuals.

SEC. 4. *And be it further enacted*, That, to enable the trustees to secure to the said college all the benefits arising

from this act with as little delay and expense as practicable, they may and they are hereby authorized, if, in their opinion, the interests of said institution would be promoted thereby, to transfer the right of location or entry conferred by this act, either in whole or in part; and the person or persons legally holding the deed or deeds of transfer, passed under the corporate seal of said college, shall be allowed to make the selection, entry, or location, in the manner provided, and in the quantity so transferred, and shall be entitled to receive a certificate or certificates from the register of the proper land district, and which shall be issued to the legal holder of such deed of assignment as the assignee of Jefferson College, and the title under such certificates shall be accounted and held as valid and complete as if a patent had issued therefor, and all certificates which may be issued by virtue of this act shall be recorded in the office from which they emanate; and for each certificate so issued and recorded, the register shall be entitled to two dollars, to be paid by the party in whose favor such certificate may be issued.

Approved, April 20, 1832.

[See Part II, Nos. 390, 419, 537, 538, 539, 540.]

CHAP. 428.—An act to revive and continue in force “An act for the relief of the representatives of John Donelson, Stephen Heard, and others.”*

*Chapter 289.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That an act entitled “An act for the relief of the representatives of John Donelson, Stephen Heard, and others,” passed the twenty-fourth of May, one thousand eight hundred and twenty-four, be, and the same is hereby, revived and continued in force for the term of twelve months, from and after the passage of this act.

Donelson, Heard, and others.

Approved, May 19, 1832.

CHAP. 429.—An act to authorize the removal of the land office from Mount Salus, in the State of Mississippi, and to remove the land office from Franklin to Fayette, in the State of Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the land office at Mount Salus, in the Choctaw district, in the State of Mississippi, shall be removed to and located at such place in the said land district as the President of the United States may direct, if in his opinion any removal be necessary; and that the land office at Franklin, in the county of Howard, State of Missouri, shall be removed to and located in the town of Fayette, in said county;

Land offices at Mount Salus and Franklin to be removed.

and it shall be the duty of the registers and the receivers of public money for said land offices, within sixty days from and after the passage of this act, to remove the books, records, and whatever else belongs to said office, to their respective places of location, as herein provided for.

Approved, May 22, 1832.

[See Part II, No. 64.]

CHAP. 430.—An act to create the office of surveyor of public lands for the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a surveyor for the Territory of Arkansas shall be appointed, who shall have the same authority, and perform the same duties respecting the public lands and private land claims in the Territory of Arkansas, as are now vested in, and required of, the surveyor of the lands of the United States in Missouri and Illinois.

Surveyor of Arkansas to be appointed.

All necessary papers to be delivered to him.

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor for Missouri and Illinois to deliver to the surveyor for the Territory of Arkansas all the maps, papers, records, and documents, relating to the public lands and private land claims in Arkansas, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records, and documents, without injury, it shall be his duty to cause copies thereof, certified by him, to be furnished to the surveyor of Arkansas, which copies shall be of the same validity as the originals.

Location of office.

SEC. 3. *And be it further enacted,* That the surveyor of Arkansas, to be appointed in pursuance of this act, shall establish his office at such place as the President of the United States may deem most expedient for the public service, and that he shall be allowed an annual salary of fifteen hundred dollars, and that he be authorized to employ one skilful draughtsman and two clerks, whose aggregate compensation shall not exceed eighteen hundred dollars per annum.

Salary, draughtsman and clerks.

Approved, June 15, 1832.

[See Part II, Nos. 966, 969, 973, 979, 981.]

CHAP. 431.—An act granting to the Territory of Arkansas one thousand acres of land, for the erection of a court-house and jail at Little Rock.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be granted to the Territory of Arkansas a quantity of land not exceeding one thousand acres,

1 Territory Arkansas, land granted for court-house and jail at Little Rock.

contiguous to and adjoining the town of Little Rock, for the erection of a court-house and jail in said town; which lands shall be selected by the Governor of the Territory by legal subdivisions, and disposed of in such manner as the Legislature may by law direct; and the proceeds of the lands so disposed of shall be applied towards building a court-house and jail in said town of Little Rock; and the surplus, if any, may be applied to such other objects as the Legislature of said Territory may deem proper.

Approved, June 15, 1832.

[See Part II, Nos. 515, 529, 530, 533, 534.]

CHAP. 432. — An act to authorize the inhabitants of the State of Louisiana to enter the back lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who, either by virtue of a French or Spanish grant, recognised by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the State of Louisiana, or by virtue of any title derived from the United States, owns a tract of land bordering on any river, creek, bayou, or watercourse, in the said Territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price and on the same terms and conditions as are or may be provided by law for the other public lands in the said State. And the surveyor general for the State of Louisiana shall be, and he is hereby, authorized to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or watercourse, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided, however*, That the right of pre-emption granted by this section shall not extend so far in depth as to include lands fit for cultivation, bordering on another river, creek, bayou, or watercourse. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office a notice, in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same at the time and times which

Pre-emption rights given to owners of lands on watercourses in Louisiana to enter back lands.

Mode of surveying back lands.

Pre-emption to continue for three years.

are or may be prescribed by law for the disposal of the other public lands in the said State: the time of his delivering the notice aforesaid being considered as the date of the purchase: *Provided, also*, That all notices of claims shall be entered, and the money paid thereon, at least three weeks before such period as may be designated by the President of the United States for the public sale of the lands in the township in which such claims may be situated, and all claims not so entered shall be liable to be sold as other public lands.

Resurveys at the expense of applicants.

Whenever it shall be necessary to resurvey the public lands, in order to enable persons entitled to avail themselves of the provisions of this act, the expenses of such resurvey shall be paid by the person or persons who shall enter the lands so resurveyed under this act, at the time he or they shall pay the price of such land to the receiver of public money.

After three years, pre-emption right to be void.

And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void, and the land may thereafter be purchased by any other person, in the same manner and on the same terms as are or may be provided by law for the sale of other public lands in the said State.

Approved, June 15, 1832.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93, 425, 516, 528, 533, 534, 543, 573, 930, 950, 955, 1,003, 1,009.]

CHAP. 433.—An act establishing land districts in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Four land districts established in Arkansas.

Names and boundaries.

That there shall be four land districts in the Territory of Arkansas, to be called as follows, viz: the Arkansas land district, the White-river land district, the Red river land district, and the Fayetteville land district; and each of the aforesaid land districts shall be bounded as follows, to wit: the Arkansas land district shall include all the country embraced within the following boundaries: beginning on the west bank of the Mississippi river, at the mouth of the St. Francis river, and running thence, due west, with the base line, to the northeast corner of range six, township one north, and south of said base line; thence, due north, with the dividing line between ranges five and six, to the northeast corner of township seven, north of said base line; thence, due west, with the dividing line between townships seven and eight, to the northwest corner of range seventeen; and thence, due south, with the dividing line between ranges seventeen and eighteen, to the Mississippi river. The White river district shall include all the country south of Missouri which is not included in the Arkansas land district, above described, and east of the dividing line between ranges

seventeen and eighteen, as extended from the northwest corner of the said Arkansas land district to the State of Missouri. The Red river land district shall include all the country in Arkansas, lying west of the Arkansas land district, and south of the base line. The Fayetteville land district shall include the residue of the Territory of Arkansas, being all the country lying north of the Red river district, and west of the Arkansas and White river districts.

SEC. 2. *And be it further enacted*, That the land office for the Arkansas land district shall be at Little Rock; the land office for the White river district shall be at Batesville; the land office for the Red river district shall be at the town of Washington; and the land office for the Fayetteville district shall be at Fayetteville.

Where to be located.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys to be deposited in their proper land offices.

Plats of surveys to be deposited, &c.

SEC. 4. *And be it further enacted*, That for each of the said districts created by this act, a register and receiver of public moneys shall be appointed, who shall give security in the same manner, and whose duties and authorities shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

Registers and receivers to be appointed.

Approved, June 25, 1832.

[See Part II, No. 64.]

CHAP. 434.—An act making provision for the sale and disposition of the public grounds in the cities of St. Augustine and Pensacola, and to reserve certain lots and buildings for public purposes, and to provide for their repair and preservation.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, required to cause to be selected such of the lots and buildings in the city of St. Augustine and Pensacola, as may, in his opinion, be needed for public purposes; which, when so selected, shall be kept for the use of the United States; and when the selection shall have been made of such lots or buildings, it shall be the duty of the Secretary of the Treasury to cause to be surveyed all the public and private lots and commons in and about the said cities; one copy of which survey shall be lodged in the land offices in which the respective places are situated, and the other copy delivered to the city authorities, to be there kept and preserved as other records pertaining to the corporation of said cities.

Certain lots in St. Augustine and Pensacola to be selected for public purposes.

The remainder of public and private lots and commons to be surveyed.

SEC. 2. *And be it further enacted*, That the lots, build-

With certain exceptions.

ings, and commons, not so set apart or needed for public purposes, shall, at such time and in such proportions or sizes as may be deemed most advisable and conducive to the interest of the United States and the said cities, be sold at public auction as other public lands, and the money arising from the sales paid into the Treasury of the United States: *Provided*, That nothing herein shall be so construed as to authorize the sale of any lot, or parts of lots, or other grounds, which have been by the laws of Spain or the United States vested in the corporations of said towns, or which have been set apart for churches or burying grounds by the laws aforesaid, or by any ordinance of the corporate authorities of the said cities.

Hospital lot in St. Augustine granted to corporation.

SEC. 3. *And be it further enacted*, That the title to the lot of ground in St. Augustine, known as the old or burnt hospital lot, with all its appurtenances, be, and the same is hereby, vested in the mayor of St. Augustine, and his successor, forever, in trust, for the purpose of erecting thereon, by the local authorities of St. Augustine, buildings necessary for the education of free white children of both sexes.

Public buildings to be repaired.

SEC. 4. *And be it further enacted*, That the President shall cause the buildings which may be selected for public purposes under this act to be refitted and repaired fit for use, and the better to preserve them from ruin and dilapidation; for which purpose, the sum of five thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

\$5,000 appropriated.

Military reservations in Detroit to be sold.

SEC. 5. *And be it further enacted*, That the President of the United States is hereby authorized to dispose of such part of the military reservations in the city of Detroit, and upon the river Rouge, in the Territory of Michigan, as in his opinion may not be wanted for the public service, and to vest the proceeds in the purchase or erection of a store-house and wharf in the said city of Detroit, and in the erection of an arsenal in the vicinity thereof, either upon the public lands or upon a site to be procured for that purpose.

And store-house, wharf, and arsenal, to be erected.

Approved, June 28, 1832.

[See Part II, No. 961.]

CHAP. 435.—An act to authorize the Legislature of the State of Indiana to sell and convey certain lands granted to said State for the use of the people thereof.

Authority given to Indiana to sell certain lands granted to that State.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Legislature of the State of Indiana be, and is hereby, authorized to sell and convey, in such manner and on such conditions as said Legislature shall by law direct, the following described tracts of land, heretofore granted and set apart for the use of said State, namely: sections numbered thirteen progressively to thirty-six, inclusive,

section sixteen excepted, in township numbered two north, of range two west; and sections numbered one to twelve, progressively and inclusive, in township one north, of range two west; and the northeast quarter of section numbered fourteen, in township seven north, of range two west; and the northwest quarter of section numbered twenty-six, in township one north, of range five west, in the Vincennes district; likewise, section fifteen, in township two north; section twenty-eight, in township three north, of range four east; and fractional section numbered thirty-one, in township nine north, of range two east, of the Jeffersonville district, and to apply the proceeds of said sale to the purposes of education: *Provided*, That the Legislature shall not authorize a sale of the said land at a less price than that at which the public lands are sold at private entry.

Apply proceeds of sale to purposes of education.

Approved, July 3, 1832.

CHAP. 436.—An act for the sale of the unlocated lots in the fifty quarter townships in the United States military district in the State of Ohio, reserved to satisfy warrants granted to individuals for their military service.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the lots and fractional parts of lots lying in the fifty quarter townships reserved by an act of Congress passed the eleventh day of February, one thousand eight hundred, and entitled "An act giving further time to the holders of military warrants to register and locate the same,"* and which remain unlocated, shall, hereafter, be liable to be sold at private sale, in the respective land offices in which they lie, in the same manner, and for the same sum per acre, as other lands of the United States lying in said districts, and undisposed of.

Unlocated lots in military district in Ohio to be sold.

*Chapter 50.

Approved, July 3, 1832.

[See Part II, No. 404.]

CHAP. 437.—An act for the final adjustment of the claims to lands in the Southeastern land district of the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person or persons claiming lands within the limits of the Southeastern land district of the State of Louisiana, agreeably to the provisions of the laws heretofore enacted for the adjustment of land claims in that part of the Territory of Orleans or State of Louisiana, but whose titles have not been heretofore confirmed, may, at any time prior to the first day of July, one thousand eight hundred and thirty-three, present their claims, together with the written

Claimants of land in Southeastern district of Louisiana, allowed further time to file claims.

evidence and other testimony in support of the same, to the register and receiver of the land office at New Orleans; and it shall be the duty of the said register and receiver to record, in a book to be kept for that purpose, the notice of every claim so preferred, together with the evidence; for which service they shall receive a compensation from the claimants, at the rate of twenty-five cents for every hundred words.

Fees to register and receiver.

Claims to be reported to Congress.

SEC. 2. *And be it further enacted*, That the said register and receiver shall, at or before the beginning of the next session of Congress thereafter, make to the Secretary of the Treasury a report of the claims which may have been preferred before them, together with the testimony, their opinion of the validity of the claims, and such other information respecting them as may be in their possession; which report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with his opinion touching the validity of the respective claims: *Provided*, That no claim shall be therein recommended for confirmation, for more than the quantity contained in a league square.

No claim to be more than a league square.

Sales suspended.

SEC. 3. *And be it further enacted*, That the sales of land in the said Southeastern district, by public auction or private entry, shall be suspended until after the first day of July, one thousand eight hundred and thirty-three.

Claimants whose lands have been sold, entitled to benefit of this act.

SEC. 4. *And be it further enacted*, That all persons who, before the first Monday of November, one thousand eight hundred and thirty, held lands in the said Southeastern district, by claims unconfirmed, but which were embraced in the principles of the previous laws for the adjustment of claims in that part of the Territory of Orleans or State of Louisiana, which lands may have been sold at the public sale which took place at New Orleans on the first Monday of November, one thousand eight hundred and thirty, under the President's proclamation of the fifth June, one thousand eight hundred and thirty, may avail themselves of this act as though their lands had not been sold; and the said register and receiver shall make a separate report of the cases of this class: and if it shall appear to the Secretary of the Treasury that all or any of the claims contained therein, although unconfirmed, are embraced in the intent and meaning of the previous laws for the adjustment of land claims as aforesaid, he is hereby authorized to repay to the persons or the legal representative of the persons who purchased, such sum or sums as they may have paid for lands of this description, bought by them at the said public sale.

And to be separately reported on.

Purchasers to be refunded amount paid.

Additional pay to register and receiver.

SEC. 5. *And be it further enacted*, That, in addition to the compensation hereinbefore provided, the said register and receiver shall receive, for the services required of them by this act, the sum of five hundred dollars each, to be paid by the Secretary of the Treasury out of any moneys in the Treasury not otherwise appropriated.

Approved, July 4, 1832.

[See Part II, No. 19.]

CHAP. 438.—An act to authorize the Governor of the Territory of Arkansas to select ten sections of land, granted to said Territory for the purpose of building a legislative house for said Territory, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the authority and power is hereby vested in and given to the Governor of the Territory of Arkansas, which was vested in and given to the Legislature of the Territory of Arkansas, by an act of Congress of the second of March, one thousand eight hundred and thirty-one,* by which a quantity of land, not exceeding ten sections, was granted to said Territory for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of Government of said Territory.

Public buildings of Arkansas, Governor to select lands for.

*See chap. 413.

SEC. 2. *And be it further enacted*, That nothing herein contained shall be so construed as authorizing any expense on the part of the United States for selecting said lands, or building said house, other than the aforesaid grant of ten sections of the unappropriated public lands.

Approved, July 4, 1832.

[See Part II, Nos. 68, 120.]

CHAP. 439.—An act for the final adjustment of private land claims in Missouri.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the recorder of land titles in the State of Missouri, and two commissioners to be appointed by the President of the United States, by and with the advice and consent of the Senate, to examine all the unconfirmed claims to land in that State, heretofore filed in the office of the said recorder, according to law, founded upon any incomplete grant, concession, warrant, or order of survey, issued by the authority of France or Spain, prior to the tenth day of March, one thousand eight hundred and four; and to class the same so as to show, first, what claims, in their opinion, would in fact have been confirmed, according to the laws, usages, and customs, of the Spanish Government, and the practice of the Spanish authorities under them, at New Orleans, if the Government under which said claims originated had continued in Missouri: and, secondly, what claims, in their opinion, are destitute of merit, in law or equity, under such laws, usages, customs, and practice, of the Spanish authorities aforesaid, and shall also assign their reasons for the opinions so to be given. And in examining and classing such claims, the recorder and commissioners shall take into consideration as well the testimony heretofore taken by the boards of commissioners and recorder of land titles upon those claims as such other testimony as may be admissible under the rules heretofore existing for

Claims to land in Missouri to be further examined and reported on.

Testimony to be taken within 12 months.

taking such testimony before said boards and recorder; and all such testimony shall be taken within twelve months after the passage of this act.

Claims to be examined and reported to Congress.

SEC. 2. *And be it further enacted*, That the office of the recorder shall be open for the purposes of such examination for the term of two years from the date of the organization of the board of commissioners, and no longer; and the recorder and commissioners shall proceed in the examination in a summary manner, with or without any new application of the claimants, and shall, at the commencement of each session of Congress during the said term of examination, lay before the Commissioner of the General Land Office a report of the claims so classed, stating therein the date and quantity of each, whether there be any and what conflicting claims, and the evidence upon which each claim depends, and the authority and power under which the said claim was granted, by the Spanish or French Governor, commandant, or sub-delegate, to be laid before Congress for their final decision upon the claims contained in such first class.

Claims reported against to be subject to sale; those reported favorably reserved from sale.

SEC. 3. *And be it further enacted*, That, from and after the final report of the recorder and commissioners, the lands contained in the second class shall be subject to sale as other public lands; and the lands contained in the first class shall continue to be reserved from sale, as heretofore, until the decision of Congress shall be made thereon; and if the decision of Congress shall be against the claims, or any of them, the lands so decided against shall be, in like manner, subject to sale as other public lands: *Provided*, That actual settlers, being housekeepers, upon such lands as are rejected, claiming to hold under such rejected claim, or such as may waive their grant, shall have the right of pre-emption to enter, within the time of the existence of this act, not exceeding the quantity of their claim, which in no case shall exceed six hundred and forty acres, to include their improvements, who shall give notice and prove their right of pre-emption, and in all things conform to the regulations as have been or may be prescribed by the Secretary of the Treasury under the existing laws relative to pre-emption; and it shall be the duty of the Secretary of the Treasury immediately to forward to the several land offices in said State the manner in which all those who may wish to waive their several grants or claims, and avail themselves of the right of pre-emption, shall renounce or release their said grants.

Actual settlers on rejected claims to have right of pre-emption.

Compensation to recorder and commissioners.

SEC. 4. *And be it further enacted*, That the recorder and commissioners shall each receive the sum of fifteen hundred dollars per annum, to be paid quarter yearly by the United States, in full compensation for their services under this act; and may, when necessary, employ an interpreter of the French or Spanish language, for a reasonable compensation, to be allowed by the Secretary of the Treasury, and paid by the United States.

Interpreter.

SEC. 5. *And be it further enacted*, That it shall be lawful

for the heirs of Carlos de Villemont to submit the evidence of their claim to a tract of land in Arkansas Territory, to a place called "Chicot point," to the said recorder and commissioners, and it shall be the duty of said recorder and commissioners to report upon said claim in the manner that other claims provided for in this act are to be reported and proceeded upon.

Claim of heirs of Carlos de Villemont.

Approved, July 9, 1832.

[See Part II, Nos. 19, 709, 968, 974, 998.]

CHAP. 440.—An act to amend an act entitled "An act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase-money," passed twenty-third day of May, one thousand eight hundred and twenty-eight.*

*See chapters 365 and 386.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where public lands have been purchased, on which a further credit has been taken under the provisions of the act of the second March, one thousand eight hundred and twenty-one,† or under any other act of Congress granting relief to the purchasers of the public lands, and have reverted to the United States for failure to pay the purchase-money, or have been sold by the United States by reason of such failure to pay, it shall be the duty of the register of the land office where the purchase was made to issue, upon application, to the person or persons legally entitled to the benefit of payments made previous to such reversion or sale, his, her, or their legal representatives or assigns, a certificate for the amount so paid, and not refunded, which shall be received and credited as cash in payment of any public lands that may hereafter be sold by the United States, in the State or Territory in which such original purchase was made.

Money paid for public lands, and forfeited, to be refunded in certificates.

†Chap. 253.

Certificates to be receivable for other lands.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Commissioner of the General Land Office and of the registers, as aforesaid, to conform to and be governed by the provisions of the act aforesaid, to which this is an amendment, passed the twenty-third day of May, one thousand eight hundred and twenty-eight, as aforesaid.

Act of 23d May, 1828, to govern.

SEC. 3. *And be it further enacted,* That where the lands have been relinquished to the United States under the provisions of the act of second March, one thousand eight hundred and twenty-one, as aforesaid, or other acts of Congress, and the money paid thereon has, in part, been applied in the payment of other lands, if the payment so made on lands retained be less than the amount paid on the relinquished lands, when such excess exceeds the sum of ten dollars, it shall be the duty of the register of the land office, where the transfer of payment was made, to issue a certificate for such excess to the person or persons entitled thereto, and in the

Certificates to be issued for excess of payment in certain cases.

manner pointed out in the first section of this act; which certificate shall be received in payment of the purchase of the public lands, as pointed out in said section.

Where certificates have been lost, duplicates to issue.

SEC. 4. *And be it further enacted*, That on proof being made, satisfactory to the Secretary of the Treasury, that any certificate issued under this act, or that has been or may be issued under the said act of the twenty-third of May, Anno Domini one thousand eight hundred and twenty-eight, has been lost or destroyed by accident, he is hereby authorized to issue to the legal owner thereof a duplicate of such original certificate, which shall be, in all respects, as available to the owner as the original certificate would have been.

Approved, July 9, 1832.

[See Part II, Nos. 348, 370, 396, 428.]

CHAP. 441.—An act to establish additional land districts in the State of Alabama, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the tract of country in the State of Alabama ceded to the United States by a treaty concluded with the Creek tribe of Indians, at the city of Washington, on the twenty-fourth day of March, one thousand eight hundred and thirty-two, shall be divided into and constitute two land districts, by extending through the same, east and west, the line between township number twenty-two, south of the base line of the Huntsville district, and township number twenty-four, north of the thirty-first degree of latitude.

Talapoosa and Coosa land districts established in Alabama.

Lands to be sold at Montgomery and Montevallo.

SEC. 2. *And be it further enacted*, That all the land in said ceded territory, south of said dividing line, shall be sold at the town of Montgomery, and said district shall be called the Talapoosa district; and all the land in said ceded territory, north of said dividing line, shall be sold at the town of Montevallo, and said district shall be called the Coosa district: *Provided, however*, That the President of the United States may, if he shall deem it expedient, remove either or both of the said land offices to any other point in the respective districts for which they are established.

Registers and receivers to be appointed.

SEC. 3. *And be it further enacted*, That there shall be a register and receiver appointed to each of the aforesaid land offices, to superintend the sales of the public lands in their respective districts, who shall reside at the places designated, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys of said districts to be deposited in the land offices intended for them, respectively.

Plats of surveys to be deposited, &c.

SEC. 5. *And be it further enacted*, That the compensation of the registers and receivers, to be appointed for the land districts hereby established, shall not commence till after the surveys shall have been completed.

Compensation.

SEC. 6. *And be it further enacted*, That all that portion of country acquired by the treaty with the Choctaw nation of Indians, within the State of Alabama, south of township nineteen, shall be offered for sale at the Saint Stephen's land office, and the residue shall be attached to the Tuscaloosa land district, and be offered for sale at that place.

Part of Choctaw cessions to be sold at St. Stephen's and Tuscaloosa.

Approved, July 10, 1832.

[See Part II, Nos. 64, 400, 427, 452, 453.]

CHAP. 442.—An act to extend the time of issuing military land warrants to officers and soldiers of the revolutionary army.*

*See chaps. 461, 478, and 482.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time allowed for issuing military land warrants to the officers and soldiers of the revolutionary army shall be extended to the first day of January, eighteen hundred and thirty-five.

Extend time for issuing military land warrants.

SEC. 2. *And be it further enacted*, That the further quantity of three hundred thousand acres of land be, and the same is hereby, appropriated, in addition to the quantity heretofore appropriated by the act entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved the thirtieth of May, eighteen hundred and thirty; which said appropriation shall be applied, in the manner provided by the said act, to the unsatisfied warrants which have been or may be issued, as therein directed, to the officers and soldiers and others, as described in the first, fifth, and seventh, sections of said act.

Additional land or scrip granted for Virginia land warrants.

†See chap. 402.

SEC. 3. *And be it further enacted*, That the last paragraph of the first section of the said act, which authorizes the issuing of warrants upon an affidavit that the original was lost, and upon the production of an official copy thereof, shall be, and the same is hereby, repealed.

Lost warrants.

Approved, July 13, 1832.

[See Part II, Nos. 2, 35, 43, 108, 113, 114, 115, 116, 121, 134, 136, 137, 236, 237, 414, 450, 457, 458.]

CHAP. 443.—An act to authorize the sale of certain public lands in the State of Ohio.

Certain reservations lately ceded by Indians to be sold.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the lands heretofore reserved for certain Indian tribes in the State of Ohio, and which were ceded to the United States by treaties ratified on the twenty-fourth day of March, in the year one thousand eight hundred and thirty-one, and the sixth day of April, one thousand eight hundred and thirty-two, be, and the same are hereby, attached to and made to form part of the land districts in which they are respectively situate, and liable to be sold as other public lands in the State of Ohio.

Approved, July 14, 1832.

CHAP. 444.—An act to authorize the disposition of the fund arising from the sale of a quarter section of land reserved for the use of schools in Florida.

Proceeds of sale of a school section of land in Florida, to be invested in stocks.

*See chap. 379.

For benefit of schools.

Remaining town lots to be sold.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the commissioners elected by the qualified voters in township five, range eleven, north and west, in the county of Jackson, in the Territory of Florida, in obedience to an act of Congress entitled "An act to authorize the establishment of a town on land reserved for the use of schools, &c.," approved the second of March, one thousand eight hundred and twenty-nine,* be, and they are hereby, authorized to vest the money arising from the sale in said act authorized, in some productive fund, under the authority of the Governor and Legislative Council of the Territory, the proceeds of which shall forever be applied to common schools in said township.

SEC. 2. *And be it further enacted*, That the said commissioners be, and they are hereby, authorized to make sale of the remainder of said lots, to be applied to the objects aforesaid; and all provisions of the act aforesaid, inconsistent with this act, be, and the same are hereby, repealed: *Provided*, That the Governor and Legislative Council of said Territory authorize such sale, with the assent of the majority of the inhabitants of said township.

Approved, July 14, 1832.

CHAP. 445.—An act supplemental to the act "granting the right of pre-emption to settlers on the public lands," approved the twenty-ninth day of May, eighteen hundred and thirty.†

†See chaps. 401 and 421, ante; and 453, post.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

sembled, That all the occupants and settlers upon the public lands of the United States, who are entitled to a pre-emption according to the provisions of the act of Congress approved the twenty-ninth day of May, eighteen hundred and thirty, and who have not been or shall not be enabled to make proof and enter the same within the time limited in said act, in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale on account of a disputed boundary between any State and Territory, the said occupants shall be permitted to enter the said lands on the same conditions, in every respect, as are prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and if the said lands shall be proclaimed for sale before the expiration of one year, as aforesaid, then they shall be entered before the sale thereof.

Further time to enter rights of pre-emption to public lands.

SEC. 2. *And be it further enacted*, That the occupants upon fractions shall be permitted, in like manner, to enter the same, so as not to exceed in quantity one quarter section; and if the fractions exceed a quarter section, the occupant shall be permitted to enter one hundred and sixty acres, to include his or their improvement, at the price aforesaid.

Right to extend to fractional townships.

Approved, July 14, 1832.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 65, 72, 74, 77, 83, 88, 93, 509, 512, 514, 515, 519, 521, 523, 524, 527, 528, 530, 532, 533, 534, 535, page 606, Nos. 599, 610, 611, 1,011, 1,012.]

CHAP. 446.—An act to authorize the sale of lands reserved from sale at Fort Jackson, in the State of Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to offer for sale the lands heretofore reserved from sale at Fort Jackson, in the State of Alabama.

Reserved lands at Fort Jackson, Alabama, to be sold.

SEC. 2. *And be it further enacted*, That every settler on said lands who, prior to the year one thousand eight hundred and thirty, cultivated any part thereof, and is now in possession of the same, shall be allowed to enter, at the proper land office, one quarter section, according to the provisions of the first section of an act to grant pre-emption rights to settlers on public lands, approved May twenty-ninth, one thousand eight hundred and thirty.*

Settlers to have right of pre-emption.

*See chap. 401.

Approved, July 14, 1832.

CHAP. 447.—An act to establish a land office in the Territory of Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that part of the Territory of Michigan which is comprehended within the following boundaries shall, from and after the passage of this act, constitute one land district for the sale and entry of the public lands, viz: lying between the third and fourth ranges of townships south of the base line and east of the principal meridian, except so much thereof as lies north of the river Huron of Lake Erie; and, also, the first, second, third, fourth, fifth, and sixth ranges of townships south of said base line, and west of said principal meridian. And there is hereby established a land office within the same, to be located at such place as the President, in his discretion, shall think proper to designate.

New land district established in Michigan.

Land office.

Register and receiver.

SEC. 2. *And be it further enacted,* That there shall be appointed by the President, by and with the advice and consent of the Senate, under the existing laws, a register and receiver in and for said district, whose compensation shall be the same as provided for other registers and receivers.

Approved, January 30, 1833.

[See Part II, No. 64.]

CHAP. 448.—An act to amend an act entitled “An act to alter and amend an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive,” approved nineteenth February, one thousand eight hundred and thirty-one.*

*See chapter 410. Also, chaps. 203 and 264, ante; and 509, post.

Certain members of the Tombecbe Association to receive patents for their land.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all persons who became entitled to an allotment of land under the contract recited in the first section of the act to which this is an amendment, their heirs, devisees, or assigns, who, on or before the thirty-first day of October, in the year eighteen hundred and thirty-two, were in the actual occupancy and cultivation of the same, or any part thereof, shall, on paying into the Treasury one dollar and twenty-five cents the acre, previous to the fifteenth of May, one thousand eight hundred and thirty-four, receive a patent for his or her allotment or purchase: *Provided,* The register of the land office for the district in which the lands lie shall be satisfied of the validity of the purchase.

All occupants prior to October 31, 1831.

Authorized to purchase.

SEC. 2. *And be it further enacted,* That all persons in actual settlement and cultivation before or on the thirty-first day of October, one thousand eight hundred and thirty-one, upon any of the lands referred to by the act to which this is an amendment, and not disposed of by the first section of this act, or any former act of Congress, shall, on proof of such settlement and cultivation, and on paying into the Treasury of the United States, within six months after the passage

of this act, one dollar and twenty-five cents per acre, receive a patent for one hundred and sixty acres: *Provided*, That nothing in this act shall be so construed as to alter or repeal the third section of the above-recited act.

SEC. 3. *And be it further enacted*, That so much of the act of which this is an amendment, as requires that payment shall be made previous to the third of March, eighteen hundred and thirty-three, be, and the same is hereby, extended to the fifteenth of May, one thousand eight hundred and thirty-four.

Time for payment extended.

Approved, February 19, 1833.

[See Part II, Nos. 87, 88, 380, 411, 415, 433, 435, 444, 476, 560.]

CHAP. 449.—An act to authorize the Legislature of the State of Ohio to sell the land reserved for the support of religion in the Ohio Company's and John Cleeves Symmes' purchases.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Legislature of the State of Ohio shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the support of religion within the Ohio Company's and John Cleeves Symmes' purchases, in the State of Ohio, and to invest the money arising from the sale thereof in some productive fund; the proceeds of which shall be forever annually applied, under the direction of said Legislature, for the support of religion within the several townships for which said lands were originally reserved and set apart, and for no other use or purpose whatsoever, according to the terms and stipulations of the contracts of said Ohio Company's and John Cleeves Symmes' purchases within the United States: *Provided*, Said land, or any part of it, shall in no case be sold without the consent of the person who may be the lessee thereof, nor without the consent of the inhabitants of the township within which any such land may be situated, to be obtained in such manner as the Legislature of said State shall by law direct: *And provided, also*, That, in the apportionment of the proceeds of said fund, each township within the districts of country aforesaid shall be entitled to such portion thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the church land belonging to such township.

Lands for support of religion in Symmes' and Ohio Company's purchases to be sold.

And proceeds to be applied.

Approved, February 20, 1833.

CHAP. 450.—An act further to extend the time for entering certain donation claims to land in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Extend time for entering donation claims to land in Arkansas.

*See chap. 374.

†See chap. 375.

‡See chap. 384.

sembled, That the provisions of the eighth and ninth sections of the act of Congress approved the twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of canals authorized by law, and for making donations of land to certain persons in Arkansas Territory,"* and the provisions of the act entitled "An act restricting the location of certain land claims in the Territory of Arkansas, and for other purposes," approved the sixth of January, one thousand eight hundred and twenty-nine;† and, also, the provisions of an act entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth January, one thousand eight hundred and thirty,‡ be, and the same are hereby, continued in force for the term of five years from the twenty-fourth day of May, one thousand eight hundred and thirty-three: *Provided*, That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the proper authorities, on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States.

Approved, February 20, 1833.

[See Part II, Nos. 349, 402, pages 527, 533, No. 999.]

CHAP. 451.—An act to create sundry new land offices, and to alter the boundaries of other land offices of the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the lands ceded to the United States by the treaties made and concluded with the Choctaw tribe of Indians, near Doak's Stand, on the eighteenth day of October, one thousand eight hundred and twenty, and at Dancing Rabbit creek, on the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated north of the line dividing townships nineteen and twenty, and west of the line dividing range seven and eight east, be, and the same is hereby, established into a land district, to be designated as the Northwestern district.

A land office established in Choctaw country.

Part of Choctaw lands attached to old land district.

SEC. 2. *And be it further enacted*, That so much of the land ceded by the Choctaw tribe of Indians to the United States, by said treaty of the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated west of the basis meridian, and south of the dividing line between townships nineteen and twenty north, be, and the same is, at-

tached to the Choctaw district, established by an act of the seventh of May, eighteen hundred and twenty-two.

SEC. 3. *And be it further enacted*, That so much of the lands ceded to the United States by said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated north of the dividing line between townships seven and eight, east of the basis meridian, and south of the Northwestern district and the southern boundary of the lands of the Chickasaw tribe of Indians, shall constitute a land district, to be designated as the Northeastern district; and the lands of the United States in the counties of Monroe and Lowndes, now subject to sale in the Choctaw district, shall, from and after the first day of May next, be subject to sale at the land office in the said Northeastern district; and it shall be the duty of the register at Mount Salus, under instructions from the Commissioner of the General Land Office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof, relating to the surveys of the public lands in Monroe and Lowndes counties, to the register of the Northeastern district, as may be necessary to enable him to comply with the provisions of this act.

Another new land office established in Choctaw country.

Certain books and papers to be transferred from Mount Salus to that office.

SEC. 4. *And be it further enacted*, That so much of the land ceded to the United States by the said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated south of the dividing line between townships seven and eight, be attached to and constitute a part of the Augusta land district.

Certain part of Choctaw lands attached to Augusta district.

SEC. 5. *And be it further enacted*, That, for the disposition of the public lands in the Northeastern and Northwestern districts, a land office shall be established in each, at such convenient place as the President of the United States may designate; and for each of said offices a register and receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall, severally, give bond and security, according to law, before entering on the duties of their respective offices. They shall receive the same compensation, fees, and emoluments, and shall perform similar duties, and possess the same powers, with all other registers and receivers of public moneys of the United States, and shall in all respects be governed by the laws of the United States providing for the sale of public lands.

Location of offices.

Registers and receivers to be appointed.

Compensation and duties.

SEC. 6. *And be it further enacted*, That so much of the Edwardsville land district as lies north and northwest of the Illinois river, between said river and the Mississippi, be, and the same is hereby, attached to the Quincy land district, in the State of Illinois; and that ranges one and two, west of the third principal meridian, embracing all townships from the base line to the southern boundary of the Sangamon land district, be, and the same is hereby, attached to the Vandalia land district in said State. The said transfer to be effected under the direction of the Secretary of the Treasury.

Certain lands attached to Quincy district.

And certain other lands to the Vandalia district.

Demopolis land district established.

SEC. 7. *And be it further enacted*, That all the lands situated south of the district line, and south of the dividing line between townships twenty and twenty-one, and north of the line dividing townships eleven and twelve, and west of the line dividing ranges nine and ten west, to the west boundary line of the State of Alabama, shall constitute a land district, to be known and called the Demopolis district.

Lands in Green and Marengo counties attached to Demopolis land district.

SEC. 8. *And be it further enacted*, That the lands of the United States in the counties of Green and Marengo, now subject to sale in the Tuscaloosa, Cahawba, and St. Stephen's land districts, as comprehended in the above-described district, shall, from and after the first day of June next, be subject to sale at the land office in the said Demopolis land district; and it shall be the duty of the registers at Tuscaloosa, Cahawba, and St. Stephen's, under instructions from the Commissioner of the General Land Office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof, relating to the surveys of the public lands hereby added to the said Demopolis land district, to the register of the Demopolis land district: *Provided*, That the land district hereinafter created by the tenth section of this act shall be bounded on the south by the line dividing townships twenty-six and twenty-seven, and on the east by the line dividing ranges six and seven; and the lands in said district now in market shall be subject to entry at the land offices at Crawfordsville and Fort Wayne, as heretofore, until the first day of July next, and no longer. (1)

Boundaries of Laporte district, in Indiana.
See section 10.

Register and receiver for Demopolis district.

SEC. 9. *And be it further enacted*, That there shall be a register and receiver appointed for the said land district, with the same compensation, fees, and emoluments, and who shall perform all the duties usually performed by registers and receivers appointed to superintend the sale of the public lands of the United States.

New land district in Indiana.

SEC. 10. *And be it further enacted*, That all that district of country in the State of Indiana, lying west of the line dividing ranges seven and eight, east of the second principal meridian, and north of the line dividing townships twenty-four and twenty-five, shall form a separate land district, and the land office for the sale and disposal of all the public lands in said district shall be, and hereby is, established at Laporte; and for said land office a register and receiver shall be appointed in like manner, and be subject to like rules and regulations, and receive the same salary, fees, and compensation for their services, as is designated and provided for in other cases by the fifth section of this act; and it shall be the duty of the Secretary of the Treasury, as soon as it can be done, to cause the necessary tract books, plats, maps, and surveys of the public lands in said district to be filed in said of-

Office at Laporte.

(1) An error was committed in engrossing the amendments to this bill: the proviso was placed in the body of the section, when it was intended to have been placed at the end of the section. The error is corrected in this edition.—*Compiler*.

See: Provided, That the President may, whenever in his judgment the public interest and the convenience of the people require it, remove said office to a more central and suitable place in said district. But may be re-moved.

Approved, March 2, 1833.

[See Part II, Nos. 64, 380, 399, 400, 401, 406, 408, 410, 411, 412, 413, 415, 426, 432, 433, 335, 436, 443, 444, 454, 455, 456, 461, 463, 936, 938, 947, 954, 1,004.]

CHAP. 452.—An act to authorize the county commissioners for the county of Peoria, in the State of Illinois, to enter a fractional quarter section of land for a seat of justice, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the commissioners for the county of Peoria, in the State of Illinois, be, and they are hereby, authorized to enter with the register and receiver of the public lands at Springfield, in said State, (for the use of said county,) the residue of the northeast fractional quarter of section number nine, in township number eight north, in range number eight east: *Provided, That nothing in this act shall be so construed as to interfere with the claim or claims of any other person or persons to said fractional quarter section.* Peoria county, Illinois, commissioners authorized to enter land for county town.

SEC. 2. *And be it further enacted,* That the heirs or legal representatives of J. Latham, deceased, be, and they are hereby, authorized to withdraw and relocate the claim which was illegally located on said fractional quarter section, upon any other quarter section of public land to which it may by law be applicable. Heirs, &c. of J. Latham may relocate lands.

Approved, March 2, 1833.

CHAP. 453.—An act supplementary to an act entitled “An act concerning a seminary of learning in the Territory of Arkansas,” approved the second of March, eighteen hundred and twenty-seven.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Governor of the Territory of Arkansas shall select twenty of the sections of public land reserved by the act entitled “An act concerning a seminary of learning in the Territory of Arkansas,” approved the second of March, eighteen hundred and twenty-seven,* and after advertising and proclaiming them for sale in the several newspapers printed in Arkansas, and such other papers as he may deem expedient, he shall proceed to sell the same for cash, at some notorious place in Little Rock, to be designated in said advertisement, to the highest bidder. Governor of Arkansas may sell 20 sections of land belonging to seminary of learning.

SEC. 2. *And be it further enacted,* That the said Governor or shall proclaim and sell the same in quantities not ex-Size of tracts.

Price. exceeding one half section, nor shall any sale be made for a price less than one dollar and twenty-five cents per acre. It shall be the duty of the Governor to give to the purchaser a certificate of his purchase; and he shall also make a return to the register and receiver of the land office at Little Rock, of the quantity sold, the number of the section, range, township, and such other description of the land as he may deem necessary, the price for which each parcel sold, and to whom sold; and he shall also communicate to the Legislature of the Territory of Arkansas a duplicate of the same, upon which a patent shall issue to the purchasers, as in other cases of sales of public lands.

Returns of sale.

Patents to issue.

Proceeds to be applied to the erection of buildings for a seminary.

SEC. 3. *And be it further enacted,* That the money arising from the sales of the said twenty sections, or such portions of them as may be sold from time to time, after paying the reasonable expenses incurred in making the selections of the two townships under the before-recited act, and the expenses of selling the same under this act, shall be applied to the erection of suitable buildings for a seminary of learning, at such place as may be designated, and under such terms and conditions as may be prescribed by the Legislature of Arkansas.

Money to be paid over to territorial treasurer.

SEC. 4. *And be it further enacted,* That it shall be the duty of the Governor of said Territory to pay the nett proceeds of said sales into the office of the treasurer of said Territory, who shall be responsible for the same, as other public moneys; and who shall not pay out the whole or any part thereof for any other objects or purposes than such as are provided for by the act of the second of March, eighteen hundred and twenty-seven, to which this is a supplement, and by this act, and in obedience to the laws of the Legislature of said Territory, made to carry into effect the provisions of this act, and the said recited act.

Balance of grant for seminary to be leased out.

SEC. 5. *And be it further enacted,* That the Governor of the said Territory shall be authorized to lease, for a term not exceeding five years at any one time, the remainder of the two townships granted by the said act, and to apply the proceeds arising therefrom to the purposes aforesaid; and he shall render, once in two years, an account of the same to the Legislature of said Territory, and pay over the money to the treasurer of said Territory.

Approved, March 2, 1833.

CHAP. 454.—An act supplemental to the act entitled “An act for the final adjustment of land claims in Missouri.”*

*See chapter 439.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act to which this is a supplement shall be extended to and embrace in its opera-

Donation claims to land in Missouri to be reported upon.

tions every claim to a donation of land in the State of Missouri, held in virtue of settlement and cultivation; and the commissioners appointed under the above-recited act shall proceed to consider, decide, and report upon, the aforesaid claims, under the provisions of the several acts of Congress heretofore passed in relation to said claims, and under such provisions and restrictions of the act to which this is a supplement as may be applicable thereto.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the recorder and commissioners, aforesaid, to continue to take the testimony of all such claims as heretofore described, for and during the term of two years from the date of the act to which this is a supplement, any law to the contrary notwithstanding.

Two years additional allowed to take testimony.

Approved, March 2, 1833.

[See Part II, Nos. 968, 974.]

CHAP. 455.—An act authorizing the removal of the office of surveyor general of public lands south of Tennessee.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, after the first day of April next, the office of the surveyor general of public lands south of Tennessee shall be kept at Jackson, the seat of Government of the State of Mississippi.

Office of surveyor of Mississippi to be kept at Jackson.

SEC. 2. *And be it further enacted*, That all accounts for surveys of public lands in the State of Louisiana, not approved before the first day of April next, shall be presented, with the proper returns of such surveys, to the office of the surveyor general of public lands for the State of Louisiana, for settlement and allowance.

Accounts for surveying lands in Louisiana.

Approved, March 2, 1833.

CHAP. 456.—An act to amend an act entitled “An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of Illinois river with those of Lake Michigan,”* and to allow further time to the State of Ohio for commencing the Miami canal from Dayton to Lake Erie.

*See chapter 349.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the lands granted to the State of Illinois, by the act to which this is an amendment, may be used and disposed of by said State, for the purpose of making a railroad instead of a canal, as in said act contemplated; and that the time for commencing and completing said canal or railroad, whichever the State of Illinois may choose to make, be and is extended five years: *Provided*, That, if a railroad is made

Lands granted to Illinois, to aid in making a canal, may be applied to construction of a railroad.

in place of a canal, the State of Illinois shall be subject to the same duties and obligations, and the Government of the United States shall be entitled to and have the same privileges on said railroad, which they would have had through the canal, if it had have been opened.

*See chaps. 374 and 387.

SEC. 2. *And be it further enacted*, That the further time of five years be allowed the State of Ohio to commence the Miami canal from Dayton to Lake Erie, in addition to the time now allowed therefor by law.*

Approved, March 2, 1833.

CHAP. 457.—An act to authorize the President of the United States to cause the public surveys to be connected with the line of demarkation between the States of Indiana and Illinois.

Lands on boundary between Indiana and Illinois to be surveyed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and hereby is, authorized and required to cause the public lands lying along the line of demarkation between the States of Indiana and Illinois, as established by the joint sanction of those States, to be surveyed in connexion with said line, on either side thereof.

Additional compensation for surveying those lands.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, authorized to allow, for the service to be performed under this act, such further compensation, in addition to the regular price now authorized by law, as to him shall appear to be just and reasonable, to be paid out of the regular appropriation for surveying public lands northwest of the Ohio river.

Approved, March 2, 1833.

[See Part II, Nos. 908, 937.]

CHAP. 458.—An act prescribing the mode by which patents for public lands shall be signed and executed.

An officer to be appointed to sign patents for lands.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the President of the United States, by and with the advice and consent of the Senate, to appoint a secretary, with a salary of one thousand five hundred dollars per annum, whose duty it shall be, under the direction of the President, to sign his name, and for him, all patents for lands sold or granted under the authority of the United States.

SEC. 2. *And be it further enacted*, That this act shall continue and be in force until the fourth day of March, one thousand eight hundred and thirty-seven, and no longer.

Approved, March 2, 1833.

CHAP. 459.—An act to revive the act entitled “An act supplementary to the several laws for the sale of public lands.”

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases in which persons were settlers

Further time given to enter pre-emption rights.

or occupants of the public land prior to the first day of May, one thousand eight hundred and thirty-two, and were authorized to enter, under the provisions of the act entitled “An act supplementary to the several laws for the sale of public lands,” approved April fifth, one thousand eight hundred and thirty-two,* and were prevented from making their entries in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale in consequence of a disputed boundary between two States, or between a State and Territory, the said occupants shall be permitted to enter the said lands, on the same conditions in every respect as were prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and if the land shall be proclaimed for sale before the expiration of one year, as aforesaid, then the said settlers or occupants shall be permitted to enter before the sale thereof.

*See chapter 424.

Approved, March 2, 1833.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 65, 72, 77, 83, 89, 93, 517, 518, 519, 522, 525, 526, 528, 529, 530, 532, 533, 534, 535, 599.]

CHAP. 460.—An act to establish a town at St. Marks, in Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and

he is hereby, authorized to cause so much of the public lands at or near St. Marks, in the Territory of Florida, as he may deem proper, to be laid off into town lots, not to contain more than one quarter of an acre each, and into streets, avenues, and out-lots, and public squares, for the use of the town; and whenever the survey of the same shall be completed, it shall be the duty of the surveyor for the Territory of Florida to cause two plats thereof to be made out, on which the town and out-lots shall, respectively, be designated by progressive numbers, one of which shall be transmitted, with a copy of the field notes, to the Commissioner of the General Land Office, and the other to the register of the land office for the proper district: *Provided*, That the President may adopt, if he shall approve, such plan as may have been already reported to the General Land Office.

A town to be laid out on public land at St. Marks, in Florida.

SEC. 2. *And be it further enacted,* That the aforesaid Public sale of lots. town and out-lots at said site, with the exception of such of

them as the President may reserve for fortifications, shall be offered for sale to the highest bidder, under the direction of the register and receiver of the proper land office, at such times and places as the President shall by public proclamation designate for that purpose ; and all lots remaining unsold at the closing of the public sales shall be subject to entry at private sale at the proper land office : *Provided*, That no town lot shall be sold for less than twenty-five dollars, nor any out-lot for less than at the rate of twenty-five dollars per acre ; and they shall, in every other respect, be sold on the same terms and conditions as are provided for the disposal of the other public lands of the United States.

Private entry of lots.

Prices limited.

Improvements to be valued and paid for.

SEC. 3. *And be it further enacted*, That, previous to offering the aforesaid town and out-lots at public sale, the President of the United States shall cause the value of any improvements which may have been made thereon to be ascertained in such manner as he may prescribe for that purpose ; and the purchaser at public sale of any lot upon which there are such improvements, other than the owner thereof, shall, in addition to the sum to be paid to the United States, be, and hereby is, required to pay to the owner of the improvements the value of them, as thus ascertained ; and if payment therefor shall not be made upon the day on which the same was purchased, the lot shall be again offered at public sale on the next day of sale, and such person shall not be capable of becoming the purchaser of that or of any other lot offered at that public sale : *Provided*, That if any lot so offered and bid off on the last day of the public sale shall not be thus paid for, the same may be entered at private sale, upon paying to the United States the sum at which it was bid off, and to the owner of the improvements the previously ascertained value thereof : *And provided, further*, That the President be not authorized to offer any part of said town lots for sale, till he shall be satisfied that the site proposed for said town is not included within the limits of any conflicting Spanish title, which may not be released or decided to be invalid.

Provision for resale where terms be not complied with.

Title to land to be investigated.

Approved, March 2, 1833.

CHAP. 461.—An act granting an additional quantity of land for the location of revolutionary bounty land warrants.*

*See chapter 462.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the further quantity of two hundred thousand acres of land be, and the same is hereby, appropriated, in addition to the quantity heretofore appropriated by the act entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved the thirtieth May, one thousand eight hundred and thirty,† and the act entitled

Additional grant of land to satisfy Virginia warrants.

See chapter 462.

"An act to extend the time of issuing military land warrants to officers and soldiers of the revolutionary war," approved the thirteenth July, one thousand eight hundred and thirty-two,* which said appropriations shall be applied, in the manner provided by the said acts, to the unsatisfied warrants, whether original or duplicate, which have been or may be issued, as therein directed, to the officers and soldiers, and others, as described in said acts: *Provided*, That the said certificates of scrip shall be receivable in payment of any of the public lands liable to sale at private entry.

*See chapter 42.

Scrip receivable in payment for any land.

Approved, March 2, 1833.

[See Part II, Nos. 370, 414, 450, 455, 457, 458, 535, 543.]

CHAP. 462.—An act to extend the provisions of the act of the third March, one thousand eight hundred and seven, entitled "An act to prevent settlements being made on lands ceded to the United States until authorized by law."†

†See chapter 92.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all offences prescribed in the act entitled "An act to prevent settlements being made on lands ceded to the United States until authorized by law," approved the third of March, one thousand eight hundred and seven, when committed upon public lands not situated within any State or organized Territorial Government, shall be cognizable in the district court of the United States, held in the State nearest where the said offence may have been committed, and the offenders, upon conviction, shall be punished accordingly. And the said court shall also have jurisdiction to hear and determine all suits or prosecutions instituted for the recovery of all fines and penalties imposed by the said act.

Unlawful settlements on public lands without the limits of States or Territories—where to be tried, &c.

SEC. 2. *And be it further enacted*, That it shall be lawful for the President of the United States to direct the Indian agents at Prairie du Chien and Rock Island, or either of them, when offences against the said act shall be committed on lands recently acquired by treaty from the Sac and Fox Indians, to execute and perform all the duties required by the said act to be performed by the marshals, in such mode as to give full effect to the said act in and over the lands acquired as aforesaid.

Offences committed on lands acquired from Sac and Fox Indians.

Approved, March 2, 1833.

CHAP. 463:—An act to authorize the Governor of the Territory of Arkansas to sell the land granted to said Territory by an act of Congress approved the fifteenth of June, one thousand eight hundred and thirty-two, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

Patent to issue for land granted for court-house and jail at Little Rock.

*See chapter 431.

Land to be laid off into town lots and sold.

Public notice of sale.

Squares to be reserved for State-house, court-house, and jail.

Governor to make deeds for lots sold.

Proceeds to build court-house and jail.

sembled, That whenever the Governor of the Territory of Arkansas shall furnish to the Secretary of the Treasury a sufficient description of the boundaries of the thousand acres of land granted by an act of Congress of the fifteenth of June, one thousand eight hundred and thirty-two,* to the Territory of Arkansas, for the erection of a court-house and jail in the town of Little Rock, in the Territory aforesaid, it shall be the duty of the Secretary of the Treasury to cause a patent to be issued, for said thousand acres of land, to the Governor of Arkansas, and his successors in office, in trust, for the benefit of the Territory of Arkansas, for the purpose of erecting a court-house and jail at Little Rock.

SEC. 2. *And be it further enacted*, That the Governor of the said Territory of Arkansas be, and he is hereby, fully empowered and authorized to lay off into town lots, conforming as near as practicable to the present plan of the town of Little Rock, so much of said grant of a thousand acres of land as he may deem advisable so to be appropriated; and that he be further authorized to sell the same, from time to time, as the public interest may require; and the residue of said grant, which may not be laid off into town lots corresponding with the plan of the said town of Little Rock, he shall be authorized to dispose of, in such lots or parcels as he may deem advisable; but in no case shall he be authorized to sell, unless he shall give public notice of such sale by an advertisement in one or more newspapers printed in the Territory of Arkansas; and said sale shall be public at the court-house in the town of Little Rock.

SEC. 3. *And be it further enacted*, That in case suitable situations cannot be had, free of cost to the Territory, for the location of the State-house, as well as for the court-house and jail, in the town of Little Rock, the Governor aforesaid shall be, and he is hereby, fully authorized to select and lay off suitable squares for each of those buildings, within the addition hereunto authorized to be added to the town of Little Rock; and that the squares so selected and laid off shall be appropriated to the use of the respective buildings for which they may be designated, and for no other purpose whatsoever, forever.

SEC. 4. *And be it further enacted*, That the Governor shall execute deeds for the lots he may sell, under the provisions of this act, to purchasers, so soon as the purchasers shall pay off entirely the amount they may have bid for any lot or lots, and all sales shall be for cash.

SEC. 5. *And be it further enacted*, That so soon as the Governor aforesaid shall dispose of lots, he shall apply the proceeds of said sales to the erection of a good and substantial court-house and jail, and after these shall have been completed, should there be any funds remaining, it shall be the duty of said Governor to apply the surplus thus remaining to the erection of a suitable and permanent house for the res-

idence of the present and future Governors of Arkansas, during their continuance in office.

Approved March 2, 1833.

[See Part II, Nos. 528, 530, 533, 534.]

CHAP. 464.—An act to revive the act entitled “An act to grant pre-emption rights to settlers on the public lands,” approved May twenty-nine, one thousand eight hundred and thirty.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every settler or occupant of the public lands, prior to the passage of this act, who is now in possession, and cultivated any part thereof in the year one thousand eight hundred and thirty-three, shall be entitled to all the benefits and privileges provided by the act entitled “An act to grant pre-emption rights to settlers on the public lands,” approved May twenty-nine, one thousand eight hundred and thirty; and the said act is hereby revived and shall continue in force two years from the passage of this act, and no longer.

Act of May 29, 1830, revived, and extended to those who settled on and cultivated land in 1833.

*Chapter 401.

SEC. 2. *And be it further enacted,* That where a person inhabits one quarter section and cultivates another, he shall be permitted to enter the one or the other, at his discretion: *Provided,* Such occupant shall designate, within six months from the passage of this act, the quarter section of which he claims the pre-emption under the same.

Choice of quarter sections allowed.

SEC. 3. *And be it further enacted,* That all persons residing on the public lands, and cultivating the same, prior to the year eighteen hundred and twenty-nine, and who were deprived of the advantages of the law passed on the twenty-ninth May, eighteen hundred and thirty,† by the constructions placed on said law by the Secretary of the Treasury, be, and they are hereby, authorized to enter, at the minimum price of the Government, one quarter section of the public lands within said land district.

Persons settled on public lands prior to 1829, may enter a quarter section at the minimum price.

†Chap 401.

Approved, June 19, 1834.

[See Part II, Nos. 15, 42, 56, 36, 57, 58, 60, 64, 65, 72, 74, 77, 83, 85, 88, 92, 139, 146, 152, 438, 444, 447, 449, 451, 463, 475, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, page 606, Nos. 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 601, 602, 603, 604, 605, 607, 608, 609, 610, 611, 892, 990, 1,007, 1,011, 1,014, 1,015.]

CHAP. 465.—An act to grant to the State of Ohio certain lands for the support of schools in the Connecticut Western Reserve.

Land equal to 1-36th of Western Reserve, including that heretofore granted, to be reserved from sale, and to vest in the State.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized and required to reserve from sale, out of any public lands that have been heretofore offered at public sale, and that remain unsold, in the State of Ohio, a quantity of land, which, together with the lands heretofore granted for the support of schools in the Connecticut Western Reserve, in said State, shall be equal to one thirty-sixth part of said western reserve; which said quantity of land may be reserved in sections, or half sections, or quarter sections; and, when so reserved, the same shall vest in the said State of Ohio, for the support of schools in said Western Reserve, and be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds, or may hold, the lands heretofore granted for the support of schools in said Western Reserve.

Approved, June 19, 1834.

[See Part II, Nos. 130, 131, 437, 561.]

CHAP. 466.—An act to change the boundary between the Southeastern and Western land district in the Territory of Michigan, and for other purposes.

Certain lands shall form part of the Western, and others of the Southeastern land district.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the public lands of the United States within the limits of the counties of Calhoun and Branch, in the Territory of Michigan, which are now subject to sale at the land office at Monroe, shall, from and after the passage of this act, be set off to and form a part of the Western land district in said Territory; and all that part of said Territory lying east of the aforesaid counties, and south of the base line, and west of the principal meridian, and also all the country east of the principal meridian, and south of the line between townships numbered three and four south, except so much thereof as lies north of the river Huron of Lake Erie, shall continue to belong to and form a part of the Southeastern land district in said Territory, the land office for which is now located at Monroe, but shall be subject to be removed, from time to time, to such place as the President of the United States may order and direct.

Approved, June 25, 1834.

CHAP. 467.—An act to create additional land districts in the States of Illinois and Missouri, and in the Territory north of the State of Illinois.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that tract of country lying north of the dividing line between township number twelve and thirteen, north of the base line running through the military bounty lands, and that tract of country lying north of the dividing line between townships number thirty and thirty-one, north of the old base line, included in the State of Illinois, and all that tract of country lying north of the State of Illinois, west of Lake Michigan, and south and southeast of the Wisconsin and Fox rivers of Green bay, in the present Territory of Michigan, be laid off into four new land districts, to be divided and designated as follows, to wit: that tract lying within the State of Illinois, as above described, shall be divided by a north and south line, drawn between the range of townships number three and four, east of the third principal meridian, and that on the west side of said line shall be called the Northwest, and that on the east the Northeast land district of the State of Illinois; and all that tract north of the State of Illinois, west of Lake Michigan, south and southeast of the Wisconsin and Fox rivers, included in the present Territory of Michigan, shall be divided by a north and south line, drawn from the northern boundary of Illinois, along the range of township line next west of Fort Winnebago, to the Wisconsin river, and be called, the one on the west side the Wisconsin, and that on the east side the Green Bay land districts of the Territory of Michigan; which two districts shall embrace the country north of said rivers, when the Indian title shall become extinguished, and the Green Bay district may be divided so as to form two districts, when the President shall deem it proper.

Four new land districts.

SEC. 2. *And be it further enacted,* That there shall be established in each of the said land districts one land office, at such time and place as the President may designate, to be removed whenever he may deem it expedient for the public convenience.

Place for offices to be designated by the President.

SEC. 3. *And be it further enacted,* That the President, by and with the consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the General Land Office, to authorize the commencement of the sales in either of said districts, to appoint one register and one receiver for each land office so established, who shall reside at the place designated for the land office, and give security, and discharge all duties pertaining to such office, as prescribed by law.

Registers and receivers to be appointed.

SEC. 4. *And be it further enacted,* That the President shall be authorized, so soon as the survey shall have been completed, to cause to be offered for sale, in the manner prescribed by law, all the lands lying in said land districts, at the land offices in the respective districts in which the

Land to be reserved for military posts.

land so offered is embraced, reserving only section sixteen in each township, the tract reserved for the village of Galena, such other tracts as have been granted to individuals and the State of Illinois, and such reservations as the President shall deem necessary to retain for military posts, any law of Congress heretofore existing to the contrary notwithstanding.

Land office.

SEC. 5. *And be it further enacted,* That so much of the public lands of the United States, in the State of Missouri, as lies west of the range line between ranges ten and eleven, west of the fifth principal meridian, and south of the line dividing townships numbers forty and forty-one, north of the base line, shall form a new land district, to be called the Southwestern land district; and, for the sale of the public lands within the district aforesaid, there shall be a land office established at such place within said district as the President of the United States may designate.

Register and receiver.

SEC. 6. *And be it further enacted,* That there shall be a register and receiver appointed to said office, to superintend the sale of public land in said district, who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall in every respect be the same, in relation to lands to be disposed of at said office, as are or may be by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Lands not disposed of at public sale, may be entered and sold at private sale.

SEC. 7. *And be it further enacted,* That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at the several land offices, at Jackson, Franklin, Fayette, and Lexington, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale, by the proper officers of the office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to, in the said several land offices hereinbefore mentioned, had they remained attached to the same: *Provided,* That nothing in this act shall be so construed as to permit the officers appointed in either of the foregoing land districts to receive compensation out of the Treasury of the United States.

Proviso.

Approved, June 26, 1834.

[See Part II, Nos. 64, 82, 441, 447, 449.]

CHAP. 468.—An act to establish an additional land office in Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as—*

sembled, That so much of the public lands of the United States in the Territory of Arkansas as lies east of a line commencing on the southern boundary of the Territory where it is intersected by the dividing line between ranges five and six, west of the meridian; thence, with said range line, to the dividing line between townships ten and eleven south; thence, east, with the said line, to the dividing line between ranges two and three west; thence, north, with said dividing line, to the base line; thence, east, with said base line, to the dividing line between ranges two and three east; thence, north, with said line, to the dividing line between townships ten and eleven north; thence, east, with said dividing line, to the dividing line between ranges six and seven east; thence, north, with said dividing line, to the northern boundary of the Territory of Arkansas, shall form a new land district, to be called the Mississippi land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at the town of Helena, in the county of Phillips, in the Territory aforesaid.

Land office to be established at Helena.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of the public land in said district, who shall reside at the town of Helena, aforesaid, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall in every respect be the same, in relation to lands to be disposed of at said office, as are or may be by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Register and receiver to reside there.

SEC. 3. *And be it further enacted*, That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said Territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same.

Land not sold at public, may be entered and sold at private sale.

Approved, June 26, 1834.

[See Part II, Nos. 64, 439.]

CHAP. 469.—An act confirming certain land claims in the district of St. Stephen's, in Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the decision of the register and receiver of

Decision of the register, of March 7, 1832, confirmed.

the land office for the district of St. Stephen's, in the State of Alabama, as contained in their report bearing date the seventh of March, eighteen hundred and thirty-two, made in pursuance of the act of Congress approved the second of March, eighteen hundred and twenty-nine, entitled "An act confirming the report of the register and receiver of the land office of the district of St. Stephen's, in the State of Alabama, and for other purposes,"* be, and the same are hereby, confirmed.

*Chap. 380.

Approved, June 26, 1834.

CHAP. 470.—An act to authorize the correction of erroneous selections of land granted to the State of Indiana, for the purpose of constructing the Michigan road.

State of Indiana
may select lands
in lieu of those
formerly selected.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Indiana be, and hereby is, authorized to select other lands in lieu of sections numbered eighteen and twenty-nine, and fractional section numbered thirty-two, in township thirty-seven north, of range one east, heretofore selected, to be applied to the purpose of constructing the Michigan road in Indiana; the selections authorized by this act to be made on any unsold land within the district where the above-mentioned lands lie, and shall be applied to the same object; and the first-named selections are hereby declared void and of no effect.

Approved, June 28, 1834.

CHAP. 471.—An act limiting the times of advertising the sales of the public lands.

Sales to be advertised
not less than
three nor more
than six months.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter the public lands which shall be exposed to public sale, by order of the President of the United States, shall be advertised for a period of not less than three nor more than six months prior to the day of sale, any thing in any law heretofore enacted to the contrary notwithstanding.

Approved, June 28, 1834.

CHAP. 472.—An act further to provide for the location of certain land in the Territory of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-*

sembled, That the proviso to the act entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth day of January, eighteen hundred and thirty, be, and the same is hereby, repealed; and all locations of said claims made, or to be made, shall in no wise be affected by said proviso.

Approved, June 28, 1834.

[See Part II, pages 527, 533.]

CHAP. 473.—An act in reference to pre-emption rights in the Southeastern district of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the pre-emption rights granted by the register and receiver of the land office at New Orleans, to certain individuals claiming the same, in the Southeastern land district of Louisiana, under the act of Congress approved fifth April, eighteen hundred and thirty-two, entitled "An act supplementary to the several laws for the sale of public lands,"† and the act approved fifteenth June, eighteen hundred and thirty-two, entitled "An act to authorize the inhabitants of the State of Louisiana to enter the back lands,"‡ be, and they are hereby, confirmed; and the register of the land office is hereby directed to issue patent certificates accordingly.

Register of land office to issue patents in conformity with acts of Congress of 5th April and 15th June, 1832.

†Chap. 424.

‡Chap. 432.

SEC. 2. *And be it further enacted*, That the resurvey made under the supervision of the surveyor general of Louisiana, of certain lands on the bayou St. Vincent, in sections designated as numbers one hundred and ten and one hundred and forty-three, in township thirteen, of range fourteen east, situate in the Southeastern district of Louisiana, and which resurvey purports to include the improvements of the actual settlers within its limits, claiming the right of pre-emption thereto under the act of fifth April, eighteen hundred and thirty-two, aforesaid, be, and the same is hereby, confirmed; and payments may be made and patents issued in accordance therewith.

And for certain lands surveyed on bayou St. Vincent.

Approved, June 28, 1834.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93.]

CHAP. 474.—An act authorizing the selection of certain Wabash and Erie canal lands, in the State of Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in lieu of lands sold or otherwise disposed of

Canal commissioners to select certain lands.

*Chap. 352.

by the United States, within the State of Ohio, and which would otherwise become the property of the State of Indiana, in virtue of "An act to grant a certain quantity of land to the State of Indiana for the purpose of aiding such State in opening a canal to connect the waters of the Wabash river with those of Lake Erie,"* approved March second, eighteen hundred and twenty-seven, the canal commissioners authorized to locate the lands granted as aforesaid for the use of the canal within the State of Ohio, be, and they are hereby, authorized to select an equal quantity from the alternate sections, which would otherwise belong to the United States in the division under said act, or from the lands recently acquired by purchase from the Indians, or from other lands in the neighborhood, near the line of said canal, as they shall think proper; and the lands thus selected shall be vested and disposed of for the use of the canal, as other lands appropriated by the act aforesaid.

Former selections, if sold, to be paid for to the commissioners.

SEC. 2. *And be it further enacted*, That in case of selections of lands authorized by the previous section, and which, agreeably to treaty stipulations, may hereafter be sold by the United States for the benefit of the Indians; a sum equal to the amount for which said lands may have been sold shall be paid over, by the Treasurer of the United States, to the commissioners authorized to receive the same, for the use and benefit of said canal.

Lands reserved from sale until sections are made.
†Chap. 332.

SEC. 3. *And be it further enacted*, That until the lands granted by the aforesaid act of March second, eighteen hundred and twenty-seven,† shall be selected, and the selections contemplated by this act shall be made, the public lands on and near the line of said canal, and liable to the selections aforesaid, shall be reserved from sale.

Commissioners to be furnished with maps.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Commissioner of the General Land Office to furnish said commissioners with a perfect map of the surveyed lands on and contiguous to the Maumee river, within the State of Ohio, including the lands recently purchased from the Indians, carefully noting thereon the lands which have been sold or otherwise disposed of by the United States.

Approved, June 30, 1834.

CHAP. 475.—An act to authorize the sale of lots in the town of St. Mark's, in Florida.

President may direct the register and receiver to make sale.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to direct the register and receiver of the Tallahassee land district to make sale at public auction of one fourth of the lots in the town of St. Mark's, in the Territory of Florida, according to the plan of the sur-

veyor general of said Territory, as soon as practicable after the passage of this act, upon giving two months' public notice of the said sale.

Approved, June 30, 1834.

CHAP. 476.—An act to relinquish the reversionary interest of the United States in a certain Indian reservation lying between the rivers Mississippi and Desmoines.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the right, title, and interest, which might accrue or revert to the United States, to the reservation of land, lying between rivers Desmoines and Mississippi, which was reserved for the use of the half-breeds belonging [to] the Sacs and Fox nations, now used by them, or some of them, under a treaty made and concluded between the United States and the Sacs and Fox tribes or nations of Indians, at Washington, on the fourth day of August, in the year one thousand eight hundred and twenty-four, be, and the same are hereby, relinquished and vested in the said half-breeds of the Sacs and Fox tribes or nations of Indians, who, at the passage of this act, are, under the reservation in the said treaty, entitled, by the Indian title, to the same; with full power and authority to transfer their portions thereof, by sale, devise, or descent, according to the laws of the State of Missouri.

Lands designated relinquished to and vested in certain half-breeds of Sacs and Fox Indians.

Approved, June 30, 1834.

[See Part II, No. 47.]

CHAP. 477.—An act granting land to certain exiles from Poland.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and is hereby, granted to Lewis Banezakiewitz and his associates, being two hundred and thirty-five exiles from Poland, transported to the United States by the orders of the Emperor of Austria, thirty-six sections of land, to be selected by them, under the direction of the Secretary of the Treasury, in any three adjacent townships of the public lands which have been or may hereafter be surveyed, situated within the limits of the State of Illinois or the Territory of Michigan.

Thirty-six sections of land in Illinois or Michigan, granted to 235 exiles from Poland.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to obtain an authenticated list of the names of the aforesaid two hundred and thirty-five Polish exiles, and cause the same to be filed and recorded in the office of the Commissioner of the General Land Office.

Their names to be recorded in the General Land Office.

The land to be divided in equal parts among them by lot.

SEC. 3. *And be it further enacted,* That immediately after the said thirty-six sections of land shall be surveyed and located in the manner prescribed in the first section of this act, it shall be the duty of the Secretary of the Treasury to cause the said thirty-six sections to be divided into equal parts among the said two hundred and thirty-five Poles, by lot, under such regulations as the said Secretary may prescribe.

To be entitled to a patent after ten years' occupancy.

SEC. 4. *And be it further enacted,* That it shall be lawful for each and every of the said grantees to enter upon and take possession of the respective lots of land assigned to them and each of them; and, after the expiration of ten years, the said grantees, respectively, shall be entitled to a patent for the lot of land assigned to them as aforesaid: *Provided,* That the said grantees shall, during the said term of ten years, without intermission, actually inhabit and cultivate the said township of land, in the ratio of one settlement for every five hundred acres thereof; and, on due proof of such habitation and cultivation to the Secretary of the Treasury, and of the payment into the proper land office of the minimum price per acre, at the time of such payment, within the said term of ten years, patents shall be granted as aforesaid, and not otherwise.

Proviso.

Approved, June 30, 1834.

[See Part II, Nos. 438, 459, 460.]

CHAP. 478.—An act to allow further time to complete the issuing and locating of military land warrants during the late war.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act to allow further time to complete the issuing and locating of military land warrants,"* approved the twenty-sixth day of May, one thousand eight hundred and twenty-four, and also the operations of the act approved the twenty-fourth day of February, one thousand eight hundred and nineteen,† which, by said act of one thousand eight hundred and twenty-four, is revived, be, and the said acts are hereby, extended and continued in force for the term of five years from and after the twenty-sixth day of May last.

Acts of 26th May, 1834, and of 24th Feb. 1819, revived.

*Chap. 309.

†Chap. 226.

Approved, January 27, 1835.

[See Part II, Nos. 2, 43, 108, 113, 114, 115, 116, 121, 236, 237.]

CHAP. 479.—And act to extend the time of issuing military land warrants to the officers and soldiers of the revolutionary army.*

*See chap. 461.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time allowed for issuing military land warrants to the officers and soldiers of the revolutionary army shall be extended to the first day of January, eighteen hundred and forty.

Time extended to
1st Jan. 1840.

Approved, January 27, 1835.

[See Part II, Nos. 2, 43.]

CHAP. 480.—An act for the final adjustment of claims to lands in the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person or persons having claims to lands in the State of Louisiana, whose claims have been recognised by former laws as valid, but which have not heretofore been confirmed to the grantees or their legal representatives, be, and they are hereby, authorized to present their claims to the register and receiver of the land office in which the land may lie, within two years from the passage of this act, together with the written and other testimony in support of the same; and it shall be the duty of the register and receiver to record, in a book to be kept by them for that purpose, the notice of every claim so preferred, together with the evidence in support of the same; and the said register and receiver are hereby further authorized to receive any evidence for and on behalf of other individuals who may resist the confirmation of any such claim, either on their own behalf or that of the United States, and cause to be taken any evidence which shall be deemed necessary and proper by them to have such claim properly and justly settled, and to have the same likewise recorded in said book, for which service, in recording the applicant's title papers and evidence, they shall be entitled to receive from said applicant at the rate of twenty-five cents for every hundred words.

Persons having authorized claims to present them to register and receiver within two years.

SEC. 2. *And be it further enacted*, That it shall be the duty of the registers and receivers of the land offices, at or before the beginning of each session of Congress thereafter, to make to the Secretary of the Treasury a report of the claims which may have been presented before them, together with the testimony, accompanied by their opinions of the validity of each claim, and such other information respecting them as may be in their possession, which said report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with the opinion of the

Registers and receivers to report to the Secretary of the Treasury, and the Secretary to Congress.

Commissioner of the General Land Office, touching the validity of the respective claims.

Approved, February 6, 1835.

[See Part II, No. 19.]

*Chap. 432.

CHAP. 481.—An act supplementary to an act entitled “An act to authorize the inhabitants of the State of Louisiana to enter the back lands.”*

The time for entering back lands extended to one year from the 15th June next.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time given by the act to which this is a supplement, to the owners of lands bordering on any of the rivers, creeks, bayous, or other watercourses, of the State of Louisiana, to become the purchasers, by preference, of the back tracts adjacent to those owned by them, be, and the same is hereby, extended one year from the fifteenth of June next.

Approved, February 24, 1835.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 72, 77, 88, 93.]

CHAP. 482.—An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-five.

†The other sections irrelevant.

650,000 acres of land, in addition to former appropriations, to be applied to unsatisfied warrants and certificates, &c.

†Chap. 402.

§Chap. 442.

||Chap. 461.

Proviso.

SEC. 2.† *And be it further enacted*, That six hundred and fifty thousand acres of land, in addition to the quantity heretofore appropriated by the act entitled “An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war,”‡ approved the thirtieth day of May, one thousand eight hundred and thirty, and the act entitled “An act to extend the time for issuing military land warrants to the officers and soldiers of the revolutionary war,”§ approved the thirteenth day of July, one thousand eight hundred and thirty-two, and the act entitled “An act granting an additional quantity of land for the location of revolutionary bounty land warrants,”|| approved the second day of March, one thousand eight hundred and thirty-three, be, and the same are hereby, appropriated, to be applied, in the manner provided for in said acts, to the unsatisfied warrants, whether original or duplicate, which have been or may be issued, as therein directed, to the officers, soldiers, and others, therein described; and the certificates of scrip issued pursuant to said acts shall be receivable in payment for any of the public lands liable to sale at private entry: *Provided*, That no scrip shall be issued until the first day of September next, and warrants shall be received in the General Land Office until that day; and immediately thereafter, if the amount filed exceed six hundred and fifty thousand acres, the Com-

missioner of the General Land Office shall apportion the said six hundred and fifty thousand acres of land among the warrants which may be then on file, in full satisfaction thereof.

Approved, March 3, 1835.

[See Part II, Nos. 79, 134, 136, 137, 236, 237, 450, 457, 458.]

CHAP. 483.—An act to authorize the removal of the land office at Wapaughkoneta to Lima, in the State of Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the land office at present established at Wapaughkoneta, in the State of Ohio, be removed to Lima, in Allen county, in the same State.

Approved, March 3, 1835.

[See Part II, No. 64.]

CHAP. 484.—An act to authorize the construction of a railroad upon the public lands, from Tallahassee to St. Mark's, in Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the president, directors, and stockholders, organized in virtue of an act of incorporation from the Governor and Legislative Council of the Territory of Florida, be, and they are hereby, authorized to construct said road upon the public lands of the United States, so far as the line of said road has been or shall be made to pass through the same.

SEC. 2. *And be it further enacted,* That there be granted to the said railroad company, the land over which the said road shall pass, and thirty feet on each side of the same; and the said company shall have the privilege of using the timber on the public lands, for one hundred yards on each side of said railroad, in the construction and repair of said road.

SEC. 3. *And be it further enacted,* That there shall be, and is hereby, granted to the said railroad company, ten acres of land at the junction of the St. Mark's and Waculla rivers, (the point where the road terminates,) exclusive of such portions as shall be actually improved by individuals, and now in their occupancy, and also exclusive of such portions as, in the opinion of the President, it may be expedient to preserve for the national defence, or other public use: *Provided, nevertheless,* That the several grants contained in this act shall revert to the Government of the United States, unless the said railroad be begun in five years from the passage of this act, and completed within ten years thereafter.

Land and timber granted to the company.

Ten acres of land granted to them.

Proviso.

Provision to extend to two companies.

SEC. 4. *And be it further enacted*, That the foregoing provisions shall extend to two companies organized under the authority of acts of the Legislature of Alabama, and of the Governor and Legislative Council of the Territory of Florida, for a railroad from Pensacola to the Chatahoochee river, near Columbus, in Georgia, and to such other point designated in the act of the Legislature of Alabama, in said State :

And to another railroad.

And, also, another railroad authorized by acts of the Legislature of the State of Georgia and the Territory of Florida, from the St. John's river, in East Florida, to the Suwannee river, in said Territory, or to Vacasom bay, at the mouth of said river.

And all the rights, privileges, and authority, conferred in the first and second sections of this act, shall extend to the said companies mentioned in this section ; and subject to the proviso of the third section, as to the time within which the railroads shall be commenced and completed.

Approved, March 3, 1835.

CHAP. 485.—An act supplementary to the act of the fourth of July, eighteen hundred and thirty-two, entitled "An act for the final adjustment of the claims of lands in the Southeastern district of Louisiana."*

*Chap. 417.

Certain claims for lands confirmed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claims for lands within the Southeastern district of the State of Louisiana, described by the register and receiver of the said district, in their report to the Secretary of the Treasury bearing date the fifth of September, eighteen hundred and thirty-three, at New Orleans, be, and the same are hereby, confirmed, against any claim on the part of the United States, except the different applications hereinafter specified, to wit : in class A of said report, the following numbers: three, ten, twenty-five, thirty-two, thirty-eight, and forty-six.

In class B of said report, the following numbers: twenty-six, twenty-eight, twenty-nine, nineteen, twenty-three, forty-seven, thirteen, thirty-five, forty-two, and forty-three.

In class C of said report, the following numbers: six, one hundred and eighty-six, two hundred and twenty, two hundred and twenty-one, and eighty-six, eighty-four, and eighty-five, forty, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and ninety-one, one hundred and ninety-eight.

Transcript of title papers to be reported to the Secretary of the Treasury.

SEC. 2. *And be it further enacted*, That it shall be the duty of the register and receiver in said district to make out a full and perfect transcript of all the title papers, and of the evidence in their office, in relation to the numbers excepted in the first section of this act, and report the same

to the Secretary of the Treasury, with such other and further information in relation to said claims as may be directed by the Secretary of the Treasury, for the final and just settlement of said claims on or before the commencement of the next session of Congress; and he is hereby required and directed to report the same to Congress as early as practicable thereafter, with his opinion touching the validity of said claims.

Secretary to report
to Congress.

Approved, March 3, 1835.

[See Part II, No. 19.]

CHAP. 486.—An act to authorize the sale of certain lands belonging to the University of Michigan.*

*See chap. 487.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That William Woodbridge, John Biddle, and the Governor of the Territory of Michigan, trustees of the university of said Territory, be, and they are hereby, authorized to sell at public auction, to the highest bidder, after sixty days' previous notice of the time and place, in three of the newspapers of said Territory, the following tracts of land belonging to said university, and lying near Toledo, on the Maumee river of Lake Erie, to wit: tracts number three and four, the southwest quarter of section number two, and the west half of section number three, in township number three, within the "twelve-mile reservation," at the foot of the rapids of the said Maumee river; and the said trustees are hereby authorized to make good and sufficient conveyance of said lands; and the product arising from the sale thereof shall be considered and shall constitute a part of the general fund appropriated for the benefit of the University of Michigan.

May sell at public
auction, upon giv-
ing sixty days' no-
tice.

Approved, March 3, 1835.

CHAP. 487.—An act to authorize the conveyance of certain lands belonging to the University of Michigan.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the trustees of the University of Michigan be, and they are hereby, authorized to convey to William Oliver, by a deed signed by the president, and countersigned by the secretary of said board of trustees, the following tracts of land, lying near Toledo, on the Miami of the Lake, to wit: tracts numbered three and four, and the southwest quarter of section number two, and the west half of section number three, in township number three, within the twelve-mile reservation at the foot of the rapids of the said Miami

Trustees may con-
vey certain tracts.

river, pursuant to a contract entered into between the said trustees and the said William Oliver, on the twenty-fourth and twenty-fifth days of October, Anno Domini eighteen hundred and thirty-four.

Act of 3d March, 1836, repealed.

*See chap. 486.

Proviso.

SEC. 2. *And be it further enacted*, That the act entitled "An act to authorize the sale of certain lands belonging to the University of Michigan,"* approved March third, eighteen hundred and thirty-five, be, and the same is hereby, repealed: *Provided*, That the product arising from the sale of said land shall be considered and shall constitute a part of the general funds appropriated for the University of Michigan.

Approved, March 22, 1836.

CHAP. 488.—An act to extend the time for selling the land granted to the incorporated Kentucky Asylum for teaching the deaf and dumb.

Time extended two years, from 5th April, 1836.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the further time of two years, from and after the fifth day of April, one thousand eight hundred and thirty-six, be, and the same is hereby, allowed the trustees of the Centre College of Kentucky, who are also trustees of the Kentucky Asylum for teaching the deaf and dumb, to sell the land granted to said trustees for the use and benefit of said asylum, by an act entitled "An act for the benefit of the incorporated Kentucky Asylum for teaching the deaf and dumb," approved the fifth day of April, one thousand eight hundred and twenty-six.

Approved, April 11, 1836.

CHAP. 489.—An act to give effect to patents for public lands issued in the names of deceased persons.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all cases where patents for public lands have been or may hereafter be issued, in pursuance of any law of the United States, to a person who had died, or who shall hereafter die, before the date of such patent, the title to the land designated therein shall enure to, and become vested in, the heirs, devisees, or assignees, of such deceased patentee, as if the patent had issued to the deceased person during life; and the provisions of this act shall be construed to extend to patents for lands within the Virginia military district in the State of Ohio.

Approved, May 20, 1836.

CHAP. 490.—An act to divide the Green Bay land district, in Michigan, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the country on the western shore of Lake Michigan, embraced within the limits of the Green Bay land district, as established by the act of Congress of the twenty-sixth day of June, eighteen hundred and thirty-four, shall be, and is hereby, divided by a line commencing on the western boundary of said district, and running thence, east, between townships ten and eleven north, to the line between ranges seventeen and eighteen east; thence, north, between said ranges of townships, to the line between townships twelve and thirteen north; thence, east, between said townships twelve and thirteen, to Lake Michigan; and all the country bounded north by the division line here described, south by the base line, east by Lake Michigan, and west by the division line between ranges eight and nine east, shall constitute a separate district, and be called the Milwaukee land district. Division, how made.

SEC. 2. *And be it further enacted*, That two additional districts shall be, and are hereby, established in the peninsula of Michigan, one to be called the Grand river and the other the Saginaw land district, the former of which shall be bounded as follows, to wit: beginning at the shore of Lake Michigan, on the line between townships three and four north, and running east on said line to the line between ranges number six and seven west of the principal meridian; thence, on said range line, south, to the base line of the public surveys; thence, on said base line, east, to the principal meridian line; thence, north, on said meridian, to the north boundary of township ten north; thence, west, on the line between townships ten and eleven north, to the western boundary of range two west; and thence, north, following the line between ranges two and three west, so as to include all that portion of the peninsula of Michigan lying west of said line. The Saginaw district shall embrace all the tract of country bounded on the west by the Grand river district aforesaid; on the south by the division line between townships number five and six, north of the base line; on the east by the division line between ranges eleven and twelve, east of the principal meridian; and on the north and north-east by Saginaw bay and Lake Huron. Two additional land districts to be established.

SEC. 3. *And be it further enacted*, That for each of all the aforesaid districts there shall be appointed a register and receiver, who shall reside and superintend the sales of the public lands at such place, in each respective district, as the President of the United States may designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same, in relation to the lands which may be disposed of at their offices, as ~~are~~ or may be pro- Register and receiver to be appointed in each.

vided by law relative to the registers and receivers of public money in the several offices established for the sale of the public lands.

Proper plats and surveys to be deposited in the land offices.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys of the said districts to be deposited in the land offices intended for them, respectively; and he is hereby authorized to allow and pay, out of the proceeds of the sales of the public lands, the reasonable expenses which may be incurred in carrying into effect the provisions of this act.

Cert'n ceded lands to be attached to the Wisconsin land district.

SEC. 5. *And be it further enacted*, That the lands which were ceded to the United States by the treaty made with the confederated tribes of Sac and Fox Indians at Fort Armstrong, in the State of Illinois, on the twenty-first day of September, eighteen hundred and thirty-two, be, and the same are hereby, attached to and made a part of the Wisconsin land district, in the Territory of Michigan; and that said lands shall be liable to be surveyed and sold at Mineral Point, or wherever the President may direct, in the same manner as other public lands of the district.

Act to take effect on the 1st of August, 1836.

SEC. 6. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of August next.

Approved, June 15, 1836.

[See Part II, Nos. 64, 469, 965.]

CHAP. 491.—An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed.

*The other sections irrelevant.
Vacant and unsold lands reserved to the United States.

SEC. 4.* *And be it further enacted*, That nothing in this act contained, or in the admission of the said State into the Union as one of the United States of America, upon an equal footing with the original States in all respects whatever, shall be so construed or understood as to confer upon the people, Legislature, or other authorities of the said State of Michigan, any authority or right to interfere with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said State, but that the subject of the public lands, and the interests which may be given to the said State therein, shall be regulated by future action between Congress, on the part of the United States, and the said State, or the authorities thereof. And the said State of Michigan shall in no case, and under no pretence whatsoever, impose any tax, assessment, or imposition of any description, upon any of the lands of the United States within its limits.

Approved, June 15, 1836.

[See Part II, Nos. 466, 466, 965, 1,002.]

CHAP. 492.—An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes.*

*See infra, chap. 496.

SEC. 8.* *And be it further enacted*, That the State of Arkansas is admitted into the Union upon the express condition that the people of the said State shall never interfere with the primary disposal of the public lands within the said State, nor shall they levy a tax on any of the lands of the United States within the said State; and nothing in this act shall be construed as an assent by Congress to all or to any of the propositions contained in the ordinance of the said convention of the people of Arkansas, nor to deprive the said State of Arkansas of the same grants, subject to the same restrictions, which were made to the State of Missouri by virtue of an act entitled "An act to authorize the people of the Missouri Territory to form a constitution and State Government," and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories,"† approved the sixth day of March, one thousand eight hundred and twenty.

*The other sections irrelevant. Public lands reserved to the United States.

†Chapter 237.

Approved, June 15, 1836.

CHAP. 493.—An act to remove the land office from Clinton to Jackson, in the State of Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the land office at present established at Clinton, in the State of Mississippi, be hereafter kept at Jackson, in the same State.

Approved, June 23, 1836.

[See Part II, No. 64.]

CHAP. 494.—An act to amend an act to grant certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba, and Black Warrior river.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the second section of the act above recited‡ as restricts the State of Alabama from having the power to sell, dispose of, or grant, the residue of the lands granted by the act to which this is a supplement, at a price not less than the minimum price of the public lands, be, and the same is hereby, repealed.

Part of the former act repealed.

‡Chapter 366.

SEC. 2. *And be it further enacted*, That the assent of the United States is hereby given to any act which the Legislature of the State of Alabama may pass for imposing a toll on the use of such parts of the canal or canals which have been or may be constructed at or around the Muscle

State of Alabama may impose tolls on canals, &c.

Proviso.

and Colbert's shoals of the river Tennessee: *Provided*, That such tolls shall be expended exclusively on the said canals, and shall not exceed in amount the sum required to keep them in repair, and to defray the expenses of lock-tenders, collectors, superintendents, and managers; and that no part of this act shall be construed as a repeal of the exemption, contained in the seventh section of the aforesaid act, of the property of the United States, and all persons in their service, from any toll whatever: *And provided, further*, That an annual report shall be made to the Secretary of the Treasury of the United States, of the rate and amount of tolls charged or collected on said canals, and their application.
Approved, June 23, 1836.

Proviso.

CHAP. 495.—An act supplementary to the act entitled “An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes.”*

*Ante, chap. 493.

Propositions offered for the acceptance of the General Assembly of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in lieu of the propositions submitted to the Congress of the United States by an ordinance passed by the convention of delegates at Little Rock, assembled for the purpose of making a constitution for the State of Arkansas, which are hereby rejected; and that the following propositions be, and the same are hereby, offered to the General Assembly of the State of Arkansas, for their free acceptance or rejection, which, if accepted under the authority granted to the General Assembly for this purpose by the convention which framed the constitution of the said State, shall be obligatory upon the United States:

Sections of land for schools.

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of the inhabitants of such township for the use of schools.

Salt springs.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State for the use of said State, the same to be selected by the General Assembly thereof on or before the first day of January, one thousand eight hundred and forty; and the same, when so selected, to be used under such terms, conditions, and regulations, as the General Assembly of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided, also*, That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the

Proviso.

Proviso.

consent of Congress, and that nothing contained in the act of Congress entitled "An act authorizing the Governor of the Territory of Arkansas to lease the salt springs in said Territory, and for other purposes," or in any other act, shall be construed to give to the said State any further or other claim whatsoever to any salt springs or lands adjoining thereto, than to those hereby granted.

Third. That five per cent. of the nett proceeds of the sale of lands lying within the said State, and which shall be sold by Congress, from and after the first day of July next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals within the said State, under the direction of the General Assembly thereof.

Per centage upon lands sold, to be applied to roads and canals.

Fourth. That a quantity of land not exceeding five sections be, and the same is hereby, granted to the said State, in addition to the ten sections which have already been granted, for the purpose of completing the public buildings of the said State at Little Rock; which said five sections shall, under the direction of the General Assembly of said State, be located, at any time, in legal divisions of not less than one quarter section, in such townships and ranges as the General Assembly aforesaid may select, on any of the unappropriated lands of the United States within the said State.

Completion of the public buildings.

Fifth. That the two entire townships of land which have already been located by virtue of the act entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second of March, one thousand eight hundred and twenty-seven, and hereby vested in and confirmed to the General Assembly of the said State, to be appropriated solely to the use of such seminary by the General Assembly: *Provided*, That the five foregoing propositions herein offered are on the condition that the General Assembly or Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance irrevocable without the consent of the United States, that the said General Assembly of said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bonafide purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority, of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents, respectively.

Seminary of learning.

Proviso.

Approved, June 23, 1836.

CHAP. 496.—An act supplementary to the act entitled “An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, on certain conditions.”

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in lieu of the propositions submitted to the Congress of the United States by an ordinance passed by the convention of delegates, at Detroit, assembled for the purpose of making a constitution for the State of Michigan, which are hereby rejected; and that the following propositions be, and the same are hereby, offered to the Legislature of the State of Michigan, for their acceptance or rejection, which, if accepted under the authority conferred on the said Legislature by the convention which framed the constitution of the said State, shall be obligatory upon the United States:

Propositions offered for the acceptance of the Legislature of Michigan.

Section of land for schools.

First. That section numbered sixteen in every township of the public lands, and where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of schools.

Sections of land for university.

Second. That the seventy-two sections of land set apart and reserved for the use and support of a university by an act of Congress approved on the twentieth day of May, eighteen hundred and twenty-six, entitled “An act concerning a seminary of learning in the Territory of Michigan,” are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university in such manner as the Legislature may prescribe: *And provided, also*, That nothing herein contained shall be so construed as to impair or affect in any way the rights of any person or persons claiming any of said seventy-two sections of land, under contract or grant from said university.

Proviso.

Erection of public buildings.

Third. That five entire sections of land, to be selected and located under the direction of the Legislature, in legal divisions of not less than one quarter section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the State for the purpose of completing the public buildings of the said State, or for the erection of public buildings at the seat of Government of the said State, as the Legislature may determine and direct.

Salt springs.

Fourth. That all salt springs within the State, not exceeding twelve in number, with six sections of land adjoining or as contiguous as may be to each, shall be granted to the said State for its use, the same to be selected by the Legislature thereof on or before the first of January, eighteen hundred and forty; and the same, when so selected, to be used on such terms, conditions, and regulations, as the Legislature of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section,

Proviso.

be granted to said State: *And provided, also*, That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress. Proviso.

Fifth. That five per cent. of the nett proceeds of the sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the first day of July, eighteen hundred and thirty-six, after deducting all the expenses incident to the same, shall be appropriated for making public roads and canals within the said State, as the Legislature may direct: *Provided*, That the five foregoing propositions herein offered are on the condition that the Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance irrevocable without the consent of the United States, that the said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bonafide purchasers thereof: and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents, respectively. Per centage upon lands sold, to be applied to roads and canals.

Approved, June 23, 1836. Proviso.

[See Part II, Nos. 394, 465, 466, 474, 985.]

CHAP. 497.—An act for the relief of the citizens of the reserved township in Monroe county, in the State of Indiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the register and receiver of the land office at Indianapolis be, and they are hereby, authorized to select within said district, out of any of the public lands, a quantity of land for the use of schools within the reserved township in Monroe county, equivalent in value and in lieu of the sixteenth section in said township, which was granted by Congress to the State of Indiana for the use and benefit of a State college. Land to be selected for the use of schools.

Approved, June 23, 1836.

CHAP. 498.—An act to authorize the Governor and Legislative Council of the Territory of Florida to sell the lands heretofore reserved for the benefit of a general seminary of learning in said Territory.

University lands in Florida, not exceeding one half, to be sold for specific purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Governor and Legislative Council of the Territory of Florida shall be, and they are hereby, authorized to sell and convey, in fee simple, for the benefit of the University of Florida, of which, Joseph M. White, R. K. Call, Thomas Randall, John G. Gamble, Thomas Eston Randolph, Louis M. Goldsborough, Ben. Chaires, Turbutt R. Betton, F. Eppes, E. Loockerman, Fitch W. Taylor, J. Loring Wourt, Ashbeel Steele, and J. Edwin Stuart, are trustees, any part not exceeding one half of the two townships of land heretofore reserved and appropriated by Congress for the establishment and support of a seminary of learning in the Territory of Florida, and to appropriate so much of the money arising from the sale thereof as may be deemed expedient for the erection of commodious and durable buildings for said university, for the purchase of apparatus, and whatever else may be suitable for such university; and to invest the remainder in some productive funds, the proceeds of which shall be devoted forever to the benefit of said University of Florida.

Approved, July 1, 1836.

CHAP. 499.—An act to grant to the New Orleans and Nashville Railroad Company the right of way through the public lands of the United States.

Proviso.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and is hereby, granted to the New Orleans and Nashville Railroad Company, incorporated by the several States through which the said road is intended to pass, the right of way through such portion of the public lands as remain unsold: *Provided*, That the portion of the public lands occupied therefor shall not exceed eighty feet in breadth; that the route of the said road shall be surveyed and designated through the public lands, by plain marks or monuments, and copies of the notes of survey, with a plat or plats thereof, and a description of the said landmarks or monuments, and their connexion with the prior official surveys of the adjacent lands, be transmitted to the General Land Office in Washington within sixty days after the said surveys and plats are completed, and that they be completed within two years from the date of this act.

Land for work-shops, &c.

SEC. 2. *And be it further enacted*, That for such depots, watering-places, and work-shops, as may be essential to the convenient use of the said road, there shall be also granted to the said company such portions of the public land as they

may, under like restrictions and conditions, select on either side of the said road: *Provided*, That not more than five acres, to be laid off in a square form, shall be selected for such use or purpose at any one place: *Provided, also*, That not more than one such square shall be granted for every fifteen miles of the said road lying within the public land: *And provided, moreover*, That such selections shall be approved by the Secretary of the Treasury for the time being.

SEC. 3. *And be it further enacted*, That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom such materials of earth, stone, or wood, as may be necessary for the construction of the said road: *Provided*, That the grants herein contained, as well of the use of the public lands as of the materials for the construction of the said road, shall cease and determine, unless the road be begun within the period of two years from the date of this act, and completed within eight years thereafter: *And provided, moreover*, That if the said road shall, at any time after its completion, be discontinued or abandoned by the said company, the grants hereby made shall cease and determine.

Approved, July 2, 1836.

CHAP. 500.—An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque, and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the tracts of land in the Territory of Wisconsin including the towns of Fort Madison and Burlington, in the county of Des Moines; Bellevue, Du Buque, and Peru, in the county of Du Buque; [and Peru, in the county of Du Buque;] and Mineral Point, in the county of Iowa, shall, under the direction of the surveyor general of the public lands, be laid off into town lots, streets, avenues, and the lots for public use called the public squares, and into out-lots, having regard to the lots and streets already surveyed, in such manner and of such dimensions as he may think proper for the public good and the equitable rights of the settlers and occupants of the said towns: *Provided*, That tracts of land so to be laid off into town lots, &c., shall not exceed the quantity of one entire section, nor the town lots one half of an acre; nor shall the out-lots exceed the quantity of four acres each. When the survey of the lots shall be completed, a plat thereof shall be returned to the Secretary of the Treasury, and within six months thereafter the lots shall be offered to the highest bidder, at public sale, under the direction of the President of the United States, and at such other times as he shall think proper: *Provided*,

Proviso.

That no town lot shall be sold for a sum less than five dollars: *And provided, further,* That a quantity of land of proper width on the river banks, at the towns of Fort Madison, Belleview, Burlington, Du Buque, and Peru, and running with the said rivers the whole length of said towns, shall be reserved from sale (as shall also the public squares) for public use, and remain forever for public use as public highways, and for other public uses.

Surveyor to class the lots.

SEC. 2. *And be it further enacted,* That it shall be the duty of the said surveyor to class the lots already surveyed in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point, into three classes, according to the relative value thereof, on account of situation and eligibility for business, without regard, however, to the improvements made thereon; and previous to the sale of said lots, as aforesaid, each and every person or persons, or his, her, or their legal representatives, who shall heretofore have obtained from the agent of the United States a permit to occupy any lot or lots in the said towns, or who shall have, by building or enclosure, actually occupied or improved any lot or lots in the said towns, or within the tracts of land hereby authorized to be laid off into lots, shall be permitted to purchase such lot or lots by paying therefor in cash, if the same fall within the first class as aforesaid, at the rate of forty dollars per acre; if within the second class, at the rate of twenty dollars per acre; and if within the third class, at the rate of ten dollars per acre: *Provided,* That no one of the persons aforesaid shall be permitted to purchase, by authority of this section, more than one acre of ground, to embrace improvements already made.

Proviso.

\$3,000 for surveying.

SEC. 3. *And be it further enacted,* That the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to defray the expenses of surveying the lands covering the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point.

Approved, July 2, 1836.

[See Part II, Nos. 464, 964, 978.]

CHAP. 501.—An act to confirm the sales of public lands in certain cases.

Land sales confirmed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where public lands, taken from the bounds of a former land district, and included within the bounds of a new district, have been sold by the officers of such former district, under the pre-emption laws or otherwise, at any time prior to the opening of the land office in such new district, and in which the Commissioner of the

General Land Office shall be satisfied that the proceedings, in other respects, have been fair and regular, such entries and sales shall be, and are hereby, confirmed; and patents shall be issued thereupon, as in other cases.

SEC. 2. *And be it further enacted*, That in all cases where any entry has been made under the pre-emption laws, pursuant to instructions sent to the register and receiver from the Treasury Department, and the proceedings have been in all other respects fair and regular, such entries and sales are hereby confirmed, and patents shall be issued thereon, as in other cases.

Approved, July 2, 1836.

[See Part II, Nos. 15, 42, 56, 57, 58, 60, 64, 69, 72, 77, 88, 92, 146, 486, 501, 502, page 999.]

CHAP. 502.—An act to amend an act entitled “An act authorizing the laying off a town on Bean river, in the State of Illinois, and for other purposes,”^a approved fifth February, eighteen hundred and twenty-nine. ^aChapter 377.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all acts and duties required to be done and performed by the surveyor of the States of Illinois and Missouri and the Territory of Arkansas, under the act to which this is an amendment, shall be done and performed by a board of commissioners of three in number, any two of whom shall form a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially.

Board of commissioners.

SEC. 2. *And be it further enacted*, That the said commissioners shall also have power to hear evidence and determine all claims to lots of ground arising under the act to which this is an amendment, and for this purpose the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the register and receiver of the land office at Galena the testimony in each case, together with a certificate in favor of each person having the right of pre-emption; and upon making payment to the receiver at Galena for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and issue certificates of purchase, to be transmitted to the General Land Office, as in other cases of the sale of public lands.

Power of commissioners.

SEC. 3. *And be it further enacted*, That the register and receiver at Galena, after the board of commissioners have

Duties of register and receiver.

heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of lots to public sale to the highest bidder, after advertising the same in three public newspapers at least six weeks prior to the day of sale, in the same manner as is provided for the sale of the public lands in other cases, and after paying to the commissioners the compensation hereinafter allowed them, and all the other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the county commissioners of Jo Daviess county, to be expended by them in the erection of public buildings and the construction of suitable wharves in the town of Galena.

Commissioners to be paid by the receiver.

SEC. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect shall be paid by the receiver six dollars each, per day, for their services, for every day they are necessarily employed.

Approved, July 2, 1836.

[See Part II, No. 464.]

*See ante, ch. 136.

CHAP. 503.—An act to reorganize the General Land Office.*

Executive duties of land laws under supervision of the Commissioner.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the passage of this act, the executive duties now prescribed, or which may hereafter be prescribed by law, appertaining to the surveying and sale of the public lands of the United States, or in any wise respecting such public lands, and, also, such as relate to private claims of land and the issuing of patents for all grants of land under the authority of the Government of the United States, shall be subject to the supervision and control of the Commissioner of the General Land Office, under the direction of the President of the United States.

A principal clerk of public lands, and one on private land claims, to be appointed.

SEC. 2. *And be it further enacted*, That there shall be appointed in said office by the President, by and with the advice and consent of the Senate, two subordinate officers, one of whom shall be called principal clerk of the public lands, and the other, principal clerk on private land claims, who shall perform such duties as may be assigned to them by the Commissioner of the General Land Office; and in case of vacancy in the office of the Commissioner of the General Land Office, or of the absence or sickness of the Commissioner, the duties of said office shall devolve upon and be performed, *ad interim*, by the principal clerk of the public lands.

A principal clerk of the surveys.

SEC. 3. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and

consent of the Senate, an officer to be styled the principal clerk of the surveys, whose duty it shall be to direct and superintend the making of surveys, the returns thereof, and all matters relating thereto, which are done through the officers of the surveyor general; and he shall perform such other duties as may be assigned to him by the Commissioner of the General Land Office.

SEC. 4. *And be it further enacted*, That there shall be appointed by the President, by and with consent of the Senate, a recorder of the General Land Office, whose duty it shall be, in pursuance of instructions from the Commissioner, to certify and affix the seal of the General Land Office to all patents for public lands, and he shall attend to the correct engrossing and recording and transmission of such patents. He shall prepare alphabetical indexes of the names of patentees and of persons entitled to patents; and he shall prepare such copies and exemplifications of matters on file, or recorded in the General Land Office, as the Commissioner may from time to time direct.

SEC. 5. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, an officer, to be called the solicitor of the General Land Office, with an annual salary of two thousand dollars, whose duty it shall be to examine and present a report to the Commissioner of the state of facts in all cases referred by the Commissioner to his attention, which shall involve questions of law, or where the facts are in controversy between the agents of the Government and individuals, or there are conflicting claims of parties before the Department, with his opinion thereon; and, also, to advise the Commissioner, when required thereto, on all questions growing out of the management of the public lands, or the title thereto, private land claims, Virginia military scrip, bounty lands, and pre-emption claims; and to render such further professional services in the business of the Department as may be required, and shall be connected with the discharge of the duties thereof.

SEC. 6. *And be it further enacted*, That it shall be lawful for the President of the United States, by and with the advice and consent of the Senate, to appoint a secretary, with a salary of fifteen hundred dollars per annum, whose duty it shall be, under the direction of the President, to sign in his name, and for him, all patents for land sold or granted under the authority of the United States.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Commissioner to cause to be prepared, and to certify, under the seal of the General Land Office, such copies of records, books, and papers on file in his office, as may be applied for, to be used in evidence in courts of justice.

SEC. 8. *And be it further enacted*, That whenever the office of recorder shall become vacant, or in case of the sickness or absence of the recorder, the duties of his office

A recorder of the General Land Office.

A solicitor of the General Land Office.

A secretary to sign patents for lands.

Certified copies of records, &c.

Duties of recorder may devolve on principal clerk on private land claims.

shall be performed, *ad interim*, by the principal clerk on private land claims.

Receivers to make monthly returns.

SEC. 9. *And be it further enacted*, That the receivers of the land offices shall make to the Secretary of the Treasury monthly returns of the moneys received in their several offices, and pay over such money pursuant to his instructions. And they shall also make to the Commissioner of the General Land Office like monthly returns, and transmit to him quarterly accounts current of the debits and credits of their several offices with the United States.

Salary of Commissioner and others.

SEC. 10. *And be it further enacted*, That the Commissioner of the General Land Office shall be entitled to receive an annual salary of three thousand dollars; the recorder of the General Land Office, an annual salary of fifteen hundred dollars; the principal clerk of the surveys, an annual salary of eighteen hundred dollars; and each of the said principal clerks, an annual salary of eighteen hundred dollars; from and after the date of their respective commissions: and that the said Commissioner be authorized to employ, for the service of the General Land Office, one clerk, whose annual salary shall not exceed fifteen hundred dollars; four clerks, whose annual salary shall not exceed fourteen hundred dollars each; sixteen clerks, whose annual salary shall not exceed thirteen hundred dollars each; twenty clerks, whose annual salary shall not exceed twelve hundred dollars each; five clerks, whose annual salary shall not exceed eleven hundred dollars each; thirty-five clerks, whose annual salary shall not exceed one thousand dollars each; one principal draughtsman, whose annual salary shall not exceed fifteen hundred dollars; one assistant draughtsman, whose annual salary shall not exceed twelve hundred dollars; two messengers, whose annual salary shall not exceed seven hundred dollars each; three assistant messengers, whose annual salary shall not exceed three hundred and fifty dollars each; and two packers, to make up packages of patents, blank forms, and other things necessary to be transmitted to the district land offices, at a salary of four hundred and fifty dollars each.

Provisions of acts inconsistent with this, repealed.

SEC. 11. *And be it further enacted*, That such provisions of the act of the twenty-fifth of April, in the year one thousand eight hundred and twelve, entitled "An act for the establishment of a General Land Office in the Department of the Treasury,"* and of all acts amendatory thereof, as are inconsistent with the provisions of this act, be, and the same are hereby, repealed.

*Chapter 135.

The General Land Office and other offices to be open during certain hours.

SEC. 12. *And be it further enacted*, That from the first day of the month of October until the first day of the month of April, in each and every year, the General Land Office and all the bureaus and offices therein, as well as those in the Departments of the Treasury, War, Navy, State, and General Post Office, shall be open for the transaction of the public business at least eight hours in each and every

day, except Sundays, and the twenty-fifth day of December ; and from the first day of April until the first day of October, in each year, all the aforesaid offices and bureaus shall be kept open for the transaction of the public business at least ten hours in each and every day, except Sundays and the fourth day of July.

SEC. 13. *And be it further enacted*, That if any person shall apply to any register of any land office to enter any land whatever, and the said register shall knowingly and falsely inform the person so applying that the same has already been entered, and refuse to permit the person so applying to enter the same, such register shall be liable therefor to the person so applying for five dollars for each acre of land which the person so applying offered to enter, to be recovered by action of debt in any court of record having jurisdiction of the amount.

Penalty of register for false information given by him.

SEC. 14. *And be it further enacted*, That all and every of the officers whose salaries are hereinbefore provided for, are hereby prohibited from directly or indirectly purchasing, or in any [way] becoming interested in the purchase of, any of the public land ; and in case of a violation of this section by such officer, and on proof thereof being made to the President of the United States, such officer, so offending, shall be forthwith removed from office.

Officers of the Land Office prohibited from purchasing, &c. public lands.

Approved, July 4, 1836.

[See Part II, Nos. 66, 67, 71, 73, 975.]

CHAP. 504.—An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund and the school reservations.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Mississippi, ceded by the Chickasaws by the treaty of the twentieth of October, eighteen hundred and thirty-two, which have been, or may hereafter be, sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner and for the same uses and purposes as is designated by the fifth section of the act of Congress of the first of March, eighteen hundred and seventeen.

A sum equivalent to the 5 per cent. &c. reserved from sales of Chickasaw lands in Mississippi.

SEC. 2. *And be it further enacted*, That there shall be reserved from sale, in the State of Mississippi, a quantity of land equal to one thirty-sixth part of the lands ceded by said Chickasaws as aforesaid, within said State of Mississippi, which land shall be selected, under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that

Certain lands vested in the State of Mississippi for the use of schools.

shall have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands within said State, so ceded by the Chickasaws as aforesaid ; which lands, when so selected as aforesaid, the same shall vest in the State of Mississippi, for the use of schools within said territory in said State, so ceded as aforesaid by the Chickasaws ; and said lands, thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

A sum equivalent to the 5 per cent., &c. reserved in Alabama.

SEC. 3. *And be it further enacted*, That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Alabama, ceded by the Chickasaws by the treaty aforesaid, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner and for the same uses and purposes as is designated by the sixth section of the act of Congress of the second of March, eighteen hundred and nineteen.*

*Chapter 227.

Certain lands vested in the State of Alabama for the use of schools.

SEC. 4. *And be it further enacted*, That there shall be reserved from sale in the State of Alabama a quantity of land equal to one thirty-sixth part of the lands ceded by the Chickasaws as aforesaid, within said State of Alabama, which land shall be selected, under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that shall have been offered at public sale within any land district in said State of Alabama contiguous to said lands within said State, so ceded by the Chickasaws as aforesaid ; which lands, when so selected as aforesaid, the same shall vest in the State of Alabama, for the use of schools within said territory in said State so ceded as aforesaid by the Chickasaws ; and said lands, thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

Approved, July 4, 1836.

CHAP. 505.--An act confirming claims to land in the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the decisions in favor of land claimants made by the register and receiver of the land office in New Orleans, under date the first of December, eighteen hundred and thirty-five, by virtue of an act entitled "An act for the final adjustment of claims to land in the State of Louisiana,"† which have been laid before Congress at the present session by the Secretary of the Treasury, be, and the same are hereby, confirmed, with the exception of the claims of Nar-

Decisions of the register confirmed, with certain exceptions.

†Chapter 437.

cisse Carmouche, Julie Alexandre, and Martin Major, Nicholas Bara, and Francis Menard, saving and reserving, however, to all adverse claimants, the right to assert the validity of their claims in a court of justice.

Approved, July 4, 1836.

[See Part II, No. 19.]

CHAP. 506.—An act confirming claims to land in the State of Missouri, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the decisions in favor of land claimants made by the recorder of land titles in the State of Missouri, and the two commissioners associated with him, by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri,"* approved July ninth, eighteen hundred and thirty-two, and an act supplemental thereto,† approved March second, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the said recorder and commissioners to the Commissioner of the General Land Office, and by him laid before Congress at the two last and present sessions, be, and the same are hereby, confirmed, saving and reserving, however, to all adverse claimants, the right to assert the validity of their claims in a court or courts of justice: *Provided*, That nothing in this act contained shall apply to, or be in confirmation of, the claim of Don Carlos D. Vilemont, for a tract of land at Point Chicot: *And provided, also*, That nothing in this act contained shall apply to, or be in confirmation of, the following claims, to wit: Manuel Liza, six thousand arpens; J. Coontz and Hempstead, four hundred and fifty arpens; Matthew Saucier, one thousand two hundred arpens; Charles Tayon, one thousand six hundred arpens; sons of Joseph M. Pepen, five thousand six hundred arpens; Louis Lorimiere, thirty thousand arpens; Bartholomew Cousin, ten thousand arpens; Manuel Gonzales Moro, eight hundred arpens; Seneca Rollins, four hundred arpens; William Long, four hundred arpens; James Journey, four hundred arpens; Joachim Lisa, six thousand arpens; Francois Lacomb, four hundred arpens; Israel Dodge, seven thousand fifty-six arpens; Andrew Chevalier, four hundred arpens; Joseph Silvain, two hundred and fifty arpens; John P. Cabauis, two thousand arpens; William Hartly, six hundred and fifty arpens; William Morrison, seven hundred and fifty arpens; Solomon Bellew, three hundred and fifty arpens; Paschal Detchemendez, seven thousand fifty-six arpens; Baptiste Aunure, two hundred and forty arpens; Alexander Maurice, four hundred arpens; Jean Baptiste Valle, twenty thousand arpens; Israel Dodge, one thousand arpens; Walter Fenwick, ten thousand arpens; John Smith T., ten thousand arpens; and Mackey Wherry, sixteen hundred arpens.

Decisions of the recorder confirmed.

*Chapter 439.

†Chapter 434.

Proviso.

Proviso.

Other land may be located, should any of that be occupied the title to which is confirmed.

SEC. 2. *And be it further enacted,* That if it shall be found that any tract or tracts confirmed as aforesaid, or any part thereof, had been previously located by any other person or persons under any law of the United States, or had been surveyed and sold by the United States, this act shall confer no title to such lands in opposition to the rights acquired by such location or purchase; but the individual or individuals whose claims are hereby confirmed shall be permitted to locate so much thereof as interferes with such location or purchase on any unappropriated land of the United States within the State of Missouri or Territory of Arkansas, in whichever the original claim may be, that may be subject to entry at private sale: *Provided,* That such location shall conform to legal divisions and subdivisions, and shall not interfere with the rights of other persons.

Proviso.

Locations to be entered with the register, &c.

SEC. 3. *And be it further enacted,* That the locations authorized by this act shall be entered with the register of the proper land office, who shall, on application for that purpose, make out for such claimant a certificate of location, which, with the certificate of confirmation, shall be transmitted to the Commissioner of the General Land Office; and if it shall appear, to the satisfaction of the said Commissioner, that such certificate shall have been fairly obtained, according to the true intent and meaning of this act and the laws of the United States, then, and in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States. And for each certificate of location, to be issued as aforesaid, the register shall be entitled to receive from the person applying therefor the sum of one dollar.

Approved, July 4, 1836.

[See Part II, Nos. 717, 723, 724, 968, 974, 984, 1,017, 1,018.]

CHAP. 507.—Resolution to suspend the sale of a part of the public lands acquired by the treaty of Dancing Rabbit creek.

Reservations of lands to be withheld from public sale until 1st Dec. 1836.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the public lands, acquired by the treaty concluded with the Choctaw nation of Indians, at Dancing Rabbit creek, on the twenty-eighth day of September, eighteen hundred and thirty, as has been conditionally or otherwise located by the locating agent of the United States to persons claiming reservations under the fourteenth article of said treaty, be withheld from public sale until the first day of December next: *Provided,* That nothing herein contained shall be taken or construed as indicating any intention on the part of Congress to confirm said claims.

Proviso.

Approved, May 9, 1836.

[See Part II, Nos. 456, 461, 463.]

CHAP. 508.—An act to authorize certain railroad companies to construct railroads through the public lands in the Territory of Florida.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the East Florida Railroad Company, a corporation established by an act of the Governor and Legislative Council of the Territory of Florida, approved the fourteenth of February, Anno Domini eighteen hundred and thirty-five, be, and they hereby are, authorized to locate and construct a railroad on the following route, to wit: Commencing on the St. John's river, and thence, in the most convenient and suitable direction, to Tallahassee, or the waters of St. Mark's river or bay, on the Gulf of Mexico, or to any other point east of or between the St. Mark's and Appalachicola rivers, which may be selected by said company.

East Florida Railroad Company authorized to locate and construct a railroad, commencing on the St. John's river, &c.

SEC. 2. *And be it further enacted,* That the said company is further authorized, wherever said route shall pass over the public lands of the United States, to locate the same thereon, eighty feet wide; which said location, if made according to the true intent and meaning of this act, shall be enjoyed by said company so long as they maintain the said road for the public accommodation.

May pass over the public lands.

SEC. 3. *And be it further enacted,* That the said company shall have the right to take from the said public lands, timber, stone, and earth, whenever it may be convenient for the construction of any part of said way running through the same; also, to deposite and leave such materials upon such lands, whenever it may be necessary; also, to cut drains, where necessary, through the same; and, during the period of the construction of said way, to occupy said lands along said route, doing as little injury thereto as may be.

Timber, &c. may be used.

SEC. 4. *And be it further enacted,* That, to entitle the said company to the enjoyment of the privileges herein provided for, they shall comply with the following conditions, to wit:

Conditions to be complied with by said company.

First. They shall cause the said route, whenever it passes over the public lands, to be surveyed, and the location of the way to be accurately delineated in their proper connexion, and a map thereof, and a copy of the locations, to be returned and deposited in the General Land Office, within six months from the date of the final location of the said road.

Second. They shall cause permanent monuments to be erected along said route, conforming to such locations and maps defining the limits of the way.

Third. Wherever the said railway shall intersect a highway or travelled way on the public lands, that way or ways shall be left unobstructed.

Fourth. Wherever it shall cross a stream or low grounds, such provision shall be made for draining off the water as to leave the said public lands uninjured by said railway.

Fifth. They shall complete the said way within the time provided for in the act of incorporation.

Sixth. Said location of said way shall be considered and treated as open way, and be kept up as such, and the lands abutting thereon shall be considered as abutting upon a public way.

Public lands to be reserved by the U. States, &c.

Notice to be given by the company of routes to be surveyed, &c.

Proviso.

Time for making surveys, &c. extended.

Governor, &c. may provide by law for the construction of railroads, to cross or intersect, &c.

East Florida Railroad Comp'y may cross proposed railroad at, &c.

Florida may take stock.

Acts repealed.

Pensacola and Perdido Railroad Company may make railroad from, &c.

Brunswick and Florida Railroad Company may extend their railroad from, &c.

SEC. 5. *And be it further enacted*, That the sections and quarter sections of public lands over which the said road may pass, shall be reserved by the United States for two years after the final location of the said way; and to this end the said company shall, as soon as they have resolved to survey or examine any route, give notice to the register of the land district in which the lands may be, over which they intend to pass; and when the final location is made, a further notice of that fact shall be given, in like manner, of the lands over which it actually passes, which said last-mentioned lands shall be reserved as aforesaid from sale: *Provided*, That neither the said company nor any other person shall be authorized to settle on the said reserved sections or quarter sections; and no person so settling shall acquire thereby a pre-emptive right or claim to the said reserved lands, or to any part thereof; and if said company shall fail to give prompt and seasonable notice in both the above cases, they shall forfeit their privileges under this act.

SEC. 6. *And be it further enacted*, That the time for making the surveys and commencing the work, as prescribed in the said act of incorporation, be, and the same is hereby, extended for one year after the passage of this act.

SEC. 7. *And be it further enacted*, That it shall be lawful for the Governor and Legislative Council of the said Territory, or for the Legislature of the State of Florida, hereafter, to provide by law for the construction of railroads from the Appalachicola river, or from any other point, to cross or intersect the above-mentioned railroad, from the Georgia State line to the Gulf of Mexico.

SEC. 8. *And be it further enacted*, That the said East Florida Railroad Company be, and they are hereby, authorized to cross the railroad proposed to be made at any point between Tallahassee and St. Mark's.

SEC. 9. *And be it further enacted*, That the Territory or State of Florida shall, at the end of twenty years, have the privilege of taking one fourth of the stock at par, by paying to the company the interest on the investment.

SEC. 10. *And be it further enacted*, That all acts or parts of acts of the Legislative Council of the Territory of Florida, inconsistent with the foregoing provisions, be, and the same are hereby, annulled.

SEC. 11. *And be it further enacted*, That the Pensacola and Perdido Railroad Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, and of the State of Alabama, be, and they are hereby, authorized to make a railroad from Pensacola to the waters of Mobile bay or river; and, also, that the Brunswick and Florida Railroad Company, incorporated by an act of

the Legislature of Georgia, be, and they are hereby, authorized to extend their railroad from the Georgia line to the city of Tallahassee, and, thence, to the river Appalachicola, or St. George's sound, upon the same conditions and limitations contained in the foregoing provisions of this act.

SEC. 12. *And be it further enacted*, That the Lake Winnico and St. Joseph's Canal and Railroad Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, be, and they are hereby, authorized to locate and construct a railroad from the city of St. Joseph to the city of Tallahassee, in said Territory, upon the same conditions and limitations contained in the foregoing provisions of this act; and, in the construction of said road, may cross, or intersect, and form a junction with, any other railroad which may be made west of the city of Tallahassee.

Lake Winnico and St. Joseph's Canal and Railroad Compy may construct railroad from St. Joseph's to Tallahassee.

Approved, January 31, 1837.

CHAP. 509.—An act to provide for the adjustment of title and final disposition of the four reserved sections in the tract of country allotted to the Tombeckbee Association for the encouragement of the cultivation of the vine and olive.*

*See ante, chaps. 203, 264, 410, 448.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all persons who became entitled, under the contract entered into on the eighth day of January, eighteen hundred and nineteen, by the Secretary of the Treasury, on the part of the United States, and Charles Villar, agent of the Tombeckbee Association, in pursuance of "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive,"† approved third March, eighteen hundred and seventeen, to an allotment or share of the four sections of land reserved for the small allotments, and designated as sections seven, eighteen, nineteen, and thirty, in township eighteen, range three east, their heirs, devisees, or assigns, who shall have complied with the conditions of settlement and cultivation on such allotment, as required by said contract, or shall have been in the actual settlement and cultivation of his or her allotment within said four sections, or a part thereof, before or on the thirty-first day of October, eighteen hundred and thirty-two, as provided by the act of the nineteenth day of February, eighteen hundred and thirty-three, shall, on producing to the register and receiver of the land district in which said lands are situated, satisfactory evidence of title to such allotment, and of settlement and cultivation on the same as aforesaid, and paying one dollar and twenty-five cents per acre for the land, receive a patent for the same: *Provided*, Such proof shall be filed and payment made within six months from the passage of this act: *And provided, further*, That the ex-

Persons entitled to allotments under contract by the Secretary of the Treasury with Chas. Villar, shall receive patents on certain conditions.

†Chap. 203.

Provide.

Further provide.

pense of surveying any such allotment shall be defrayed by the person or persons claiming the same.

Remainder subject to entry, for use of Demopolis Female Academy

SEC. 2. *And be it further enacted*, That any remainder of said four sections not disposed of by the first section of this act shall be subject to entry, at one dollar and twenty-five cents per acre, by the trustees of the Demopolis Female Academy, in trust for the use and benefit of said institution.

Approved, March 2, 1837.

[See Part II, Nos. 476, 982.]

CHAP. 510.—An act to amend an act entitled “An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque, and Peru, in the county of Du Buque, and Mineral Point, in the county of Iowa, Territory of Wisconsin, and for other purposes,” approved July second, eighteen hundred and thirty-six.

*Chap. 500.

Acts, &c. required to be done by the surveyor under the act to which this is an amendment, shall be done by a board of commissioners, to be appointed by the President, &c.

Previous

The commissioners to have power to determine all claims to lots, &c.

Upon payment being made to the proper receiver for a lot, he shall grant a receipt, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all acts and duties required to be done and performed by the surveyor for the Territory of Wisconsin, under the act to which this is an amendment, shall be done by a board of commissioners of three in number, any two of whom shall be a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially: *Provided*, That the action of the commissioners appointed under the present act shall not interfere with any of the acts performed by the surveyor general, prior to the time of the passage hereof, in pursuance of instructions under the act to which this is amendatory.

SEC. 2. *And be it further enacted*, That the said commissioners shall have power to hear evidence and determine all claims to lots arising under the act to which this is an amendment; and, for this purpose, the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the proper register and receiver for the district within which the towns are situated, respectively, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption under the provisions of the act of which this is amendatory; and upon making payment to the proper receiver of public moneys for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and the register issue certificates of purchase, to be transmitted to the Commissioner of the General Land Office, as in other cases of the sale of public lands.

SEC. 3. *And be it further enacted*, That the proper regis-

ter and receiver of public moneys, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of the lots to public sale to the highest bidder, after advertising the same in three public newspapers at least three months prior to the day of sale, in the same manner as is provided for the sale of public lands in other cases; and, after paying the commissioners the compensation hereafter allowed them, and all other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the trustees of the respective towns aforesaid, to be expended by them in the erection of public buildings, the construction of suitable wharves, and the improvement of the streets in the said towns of Fort Madison, Burlington, Bellevue, Du Buque, Peru, and Mineral Point.

The proper register and receiver, after the commissioners have determined all cases of pre-emption, shall expose residue of lots at public sale, to the highest bidder, &c.

After paying the commissioners, &c. the receiver shall pay over the residue to the trustees of the towns aforesaid.

SEC. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect shall be paid, by the receiver of public moneys of the proper land district, six dollars each per day for their services, for every day they are necessarily employed.

The commissioners to be paid six dollars per day.

Approved, March 3, 1837.

[See Part II, Nos. 464, 964, 977, 978.]

CHAP. 511.—An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians.*

* See chap. 516.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be appointed by the President, by and with the advice and consent of the Senate, three commissioners, whose duty it shall be to meet in the State of Mississippi at such time and place as the President shall appoint and designate, and there proceed to ascertain the name of every Choctaw Indian who was the head of an Indian family at the date of the treaty at Dancing Rabbit creek, who has not already obtained a reservation under said treaty, and who can show by satisfactory evidence that he or she complied or offered to comply with all the requisites of the fourteenth article of said treaty, to entitle him or her to a reservation under said article, and, also, the number and names of all the unmarried children of such heads of families, who formed a part of the family and were over ten years of age, and likewise the number and names of the children of such heads of families as were under ten years of age, and report to the President, to be by him laid before Congress,

Three commissioners to be appointed by the President, with the advice and consent of the Senate; their duties.

all the names of such Indians, and the different sections of land to which such heads of families were respectively entitled, together with the opinions of the commissioners, and whether any part of said lands have been sold by the Government, and the proofs applicable to each case.

Commissioners to take an oath, &c.

SEC. 2. *And be it further enacted*, That, before entering upon their duties, each of said commissioners shall, before some judge or justice of the peace, take an oath faithfully to discharge the duties imposed by this act.

Commissioners to appoint a secretary; his duties.

SEC. 3. *And be it further enacted*, That said commissioners are hereby authorized to appoint a secretary, whose duty it shall be to record correctly all the proceedings of said board, and faithfully preserve the same, as well as all depositions and other papers filed before said board, and who shall take an oath to discharge the duties imposed on him by this act.

District attorney for Mississippi to attend board on request of commissioners.

SEC. 4. *And be it further enacted*, That, upon the request of the commissioners, it shall be the duty of the district attorney of the State of Mississippi to attend said board, and give his assistance in procuring the attendance of witnesses, and his aid and advice in their examination, the better to enable the commissioners to ascertain the facts correctly in each case.

Salaries of commissioners and secretary.

SEC. 5. *And be it further enacted*, That each of said commissioners shall receive, while in the discharge of the duties hereby imposed, a salary at the rate of three thousand dollars per annum, the secretary a salary at the rate of fifteen hundred dollars per annum, and the district attorney a salary at the rate of two thousand dollars per annum, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

Commissioners authorized to summon witnesses, &c.

SEC. 6. *And be it further enacted*, That said commissioners shall have full power to summon and cause to come before them such witnesses as they may deem necessary, and to have them examined on oath; and if any witness shall testify falsely, with an intention to mislead said commissioners, such witness shall be guilty of wilful and corrupt perjury, and shall, upon conviction before any jurisdiction having cognizance thereof, suffer the punishment by law inflicted on those guilty of that offence.

Nothing in this act to be so construed as to sanction the contingent locations made by G. M. Martin.

SEC. 7. *And be it further enacted*, That nothing contained in this act shall be so construed as to sanction what is called contingent locations which have been made by George M. Martin for the benefit of such Indians as were supposed to have been entitled to other lands, which have been sold by the United States; such contingent locations having been made without any legal authority. It being the true intent of this act to reserve to Congress the power of doing that which may appear just, when a correct knowledge of all the facts is obtained.

Act limited to 1st March, 1838.

SEC. 8. *And be it further enacted*, That this act shall be

in force to the first day of March, eighteen hundred and thirty-eight, next, and no longer.

Approved, March 3, 1837.

[Sec Part II, Nos. 463, 475.]

CHAP. 512.—An act to authorize and sanction the sales of reserves, provided for Creek Indians in the treaty of March twenty-four, eighteen hundred and thirty-two, in certain cases, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States may, and he is hereby authorized to, cause all the reserves belonging to the Creek Indians by virtue of the provisions of the treaty of March twenty-fourth, eighteen hundred and thirty-two, which shall remain unsold on the fourth day of April next, to be sold at public auction in the Creek country; after giving at least sixty days' notice of the time, place, and terms of sale, in the public prints, and to cause patents to be issued to the purchasers of said reserves.

Those which shall remain unsold on 4th April next, to be sold at public auction, &c.

SEC. 2. *And be it further enacted,* That the President of the United States may, and he is hereby authorized to, confirm the sales by the widow, the widow and children, the children, or the lawful administrator, of Creek Indians who have died, or who may die prior to the fourth day of April next, without having legally disposed of said reserves, and to receive the purchase-money, or such portions of it as may not have been paid to the persons entitled to it, and to cause patents to be issued therefor to the purchasers: "*Provided*, That sales made by lawful administrators shall be entitled to a preference over sales made by widows and children."

Confirmation of sales by the widow, &c. of Creek Indians who have or may die before 4th April next, &c.

SEC. 3. *And be it further enacted,* That the President may, and he is hereby authorized to, pay the persons entitled thereto the money which may be received from the purchasers of reserves under the authority given in the two preceding sections, at such times and in such amounts as he shall deem best for the parties concerned; or, if he think proper, to invest the whole or any part of said purchase-money in stocks, and pay the interest to the persons entitled, in such amounts and in such manner as, in his opinion, will be most advantageous for them: *Provided*, That he may cause the principal of the sum or sums so invested to be paid to the persons entitled thereto, whenever he may think proper: *And provided, further*, That the provisions of this act shall be executed under such regulations and restrictions as the President may prescribe.

Proviso.

Payment of money which may be received from purchasers under authority given in preceding sections, &c.

Proviso.

Further proviso.

SEC. 4. *And be it further enacted,* That it may be lawful for the President of the United States to cause the sum of one dollar and twenty-five cents per acre to be paid to the Creek Indians whose names were omitted to be entered on

The President may cause \$1 1/4 per acre to be paid to certain Creek Indians.

the census-roll taken under the treaty of eighteen hundred and thirty-two, and to those whose names appear on said roll, but for whom no locations have been made, who shall appear, from proper evidence, to be justly entitled to reservations under the provisions of said treaty: *Provided*, That the sums thus payable under this section may be invested in stocks, upon the same terms and conditions, and under the same regulations and restrictions, as are hereinbefore prescribed in respect to moneys payable under the first and second sections of this act: *Provided, further*, That no transfer by the person entitled under this section shall be valid.

Proviso.

Further proviso.

Money appropriated to carry this act into effect.

SEC. 5. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of the three first sections of this act, the sum of ten thousand dollars be, and the same is hereby, appropriated, together with such sum as may be necessary to carry into effect the fourth section thereof.

Approved, March 3, 1837.

[See Part II, No. 47.]

CHAP. 518.—An act to grant the Atchafalaya Railroad and Banking Company the right of way through the public lands of the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and is hereby, granted to the Atchafalaya Railroad and Banking Company, a corporation created by the Legislature of the State of Louisiana, the right of way through such portions of the public land as the road or roads of said company is authorized by its charter to construct, shall pass: *Provided*, That the portion of the public land occupied thereby shall not exceed eighty feet in width.

The right of way granted through such portions as the road shall pass.

Proviso.

The route of said road to be surveyed and designated through the public lands, &c.

SEC. 2. *And be it further enacted*, That the route of said road and its branches shall, at the expense of the aforesaid company, be surveyed and designated through the public lands by plain marks or monuments, and copies of the field notes, with plat or plats of the lands, and a description of the said landmarks or monuments, and their connexion with the previous official surveys of the adjacent lands, shall be returned to the office of the surveyor general of the State of Louisiana, and to the General Land Office in Washington, within sixty days after the said surveys or plats are completed, and which shall be within one year from the date of the passage of this act.

Portions of the public land granted for depots, &c.

Proviso.

SEC. 3. *And be it further enacted*, That for such depots, watering-places, and work-shops, as may be essential to the convenient use of said road, there is also granted to said company such portion of the public land as they may under like restrictions and conditions select, on either or each side of said road: *Provided*, That not more than four acres, to

be laid off in a square form, shall be selected for such use or purpose at any one place, and not more than one such square shall be granted for every ten miles of the said road or its branches, lying within the public lands; which selections shall be surveyed and returned in the manner aforesaid, and approved by the Secretary of the Treasury for the time being.

SEC. 4. *And be it further enacted*, That so long as the public land in the vicinity of said road or its branches shall remain unsold, the said company shall have permission to take therefrom such materials of earth, stone, or wood, as may be necessary for the construction of said road.

Permission to use earth, stone, &c. granted.

SEC. 5. *And be it further enacted*, That the grants herein contained, as well the use of the public lands as of the materials for the construction of said road and its branches, shall cease and determine, and be of no effect, unless the said road be commenced and completed within the periods fixed by the charter of the company; and if the said road shall be, at any time after its completion, or during the time of its construction, discontinued or abandoned by said company, the grants and privileges hereby made and allowed shall cease and determine, and be of no effect.

The grants contained herein shall cease, &c. unless said road be commenced and completed within the periods fixed by the charter, &c.

Approved, March 3, 1837.

CHAP. 514.—An act to authorize the New Orleans and Carrollton Railroad Company to construct a railroad from Carrollton to the town of Bayou Sara, in the State of Louisiana.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and is hereby, granted to the New Orleans and Carrollton Railroad Company, incorporated by the Legislature of Louisiana, the right of way through such portion of the public lands remaining unsold, for the extension of their railroad from Carrollton to the town of Bayou Sara, in the said State: *Provided*, That the portion of the public lands occupied therefor shall not exceed eighty feet in breadth; that the route of the said road shall be designated and marked on the ground by plain landmarks, within the period of eighteen months from the passage of this act, and a copy of the notes of survey and plat thereof, with a description of the said landmarks, be transmitted to the General Land Office in Washington within the period aforesaid.

Right of way granted through portions of the public lands remaining unsold.

Provido.

SEC. 2. *And be it further enacted*, That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom such materials of earth, stone, and wood, as may be necessary for the construction of the said road: *Provided*, That the grants herein contained, as well of the use of the public lands as of the materials for the said road, shall cease and

Earth, stone, &c. may be used while said lands remain unsold.

Provido.

determine, unless the same shall be begun within the period of two years from the date of this act, and completed within a period of six years.

Approved, March 3, 1837.

CHAP. 515.—An act to ratify and confirm certain official acts of John Pope, late Governor of Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the locations, sales, and transfers, of John Pope, late Governor of Arkansas, of a quantity of the public land, not exceeding ten sections, (or six thousand four hundred acres,) which was granted by Congress to Arkansas to build a State-house at Little Rock, the seat of Government of Arkansas, to sundry citizens of Arkansas, in pursuance of an authority vested in him by an act of Congress of the fourth day of July, in the year eighteen hundred and thirty-two, be, and the same are hereby, ratified and confirmed: *Provided,* Said location, sales, and transfers, were in conformity to legal subdivisions, be those divisions fractional quarter sections or not: *And provided, also,* That the gross amount of acres of land thus located, sold, and transferred, for the purpose aforesaid, does not exceed six thousand four hundred acres; and the President of the United States is hereby authorized and directed to cause patents to issue to said purchasers, their heirs, or their legal representatives, for the late Governor's several locations, sales, and transfers, whenever the applications are properly made by said purchasers or their legal representatives.

The locations, &c. of John Pope, of ten sections of land granted by Congress to Arkansas, for a State-house, under authority vested in him by an act of 4th July, 1832, confirmed.

Proviso.

Further proviso.

Certain lands in the Mississippi land district, Arkansas, excepted from the provisions of this act.

SEC. 2. *And be it further enacted,* That the northeast and southwest quarters of section twenty-seven, township eighteen south, range one west, the southeast quarter of section twenty-eight, same township and range, the southwest quarter of section fifteen, township nineteen south, range one west, the northwest and southeast quarters of section nine, same township and range, all in the Mississippi land district, State of Arkansas, be, and the same are hereby, excepted from the provisions of this act.

Approved, January 16, 1838.

CHAP. 516.—An act to amend an act entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians."

*Chapter 511.

Commissioners may adjourn their sessions to such places in Mississippi as the interest of the Government and claimants may require.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the commissioners provided for in the act hereby amended, or a majority of them, shall have full power and authority to adjourn their sessions to such place

or places, within the State of Mississippi, as in their judgment the interest of the Government and the claimants may require such sessions to be held.

SEC. 2. *And be it further enacted*, That in case of the death, resignation, or absence, of any one of the said commissioners, the remaining two commissioners shall have full power and authority to proceed and execute the powers given by this act or the act hereby amended.

In case of the death, &c. of one of the commissioners, the others may act.

SEC. 3. *And be it further enacted*, That the said commissioners shall have all the power of a court of record, for the purpose of compelling the attendance of witnesses, administering oaths touching matters depending before them, preserving order, and punishing contempts; and shall have power to make all needful rules for the regulation of the proceedings before them, as well as to employ one or more interpreters, and one or more agents to collect testimony for the United States.

Commissioners to have power to compel the attendance of witnesses, &c.; also, to make rules for, &c., to employ interpreters, &c.

SEC. 4. *And be it further enacted*, That, for defraying the contingent expenses of the said commission, the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

\$5,000 appropriated for the contingent expenses of the commission.

SEC. 5. *And be it further enacted*, That the said act shall be and remain in force until the first day of August next.

Said act continued till 1st August next.

SEC. 6. *And be it further enacted, by the authority aforesaid*, That the compensation to be made to the district attorney for his services shall be equal to the compensation allowed to a commissioner under the act hereby amended.

District attorney to receive the same compensation as a commissioner.

SEC. 7. *And be it further enacted*, That nothing contained in this act, or the act which this is intended to amend, shall be so construed as to embrace the claim of any Indian or head of a Choctaw family who has removed west of the Mississippi river.

Claims of Indians who have removed west of the Mississippi not embraced.

SEC. 8. *And be it further enacted*, That if it shall be proved, to the satisfaction of said commissioners, that any claimant has attempted or shall attempt to substitute the child of any other Indian as and for his own, or has attempted or shall attempt by his testimony to substitute for the child of any other claimant the child of another Indian, the name of such claimant, so attempting to make such substitution, shall be stricken from the list of claimants.

Any claimant attempting to substitute the child of any other Indian for his own, &c. shall be stricken from the list.

Approved, February 22, 1838.

CHAP. 517.—An act to divide the Territory of Wisconsin, and to establish the Territorial Government of Iowa.

SEC. 6.* *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or

*The other sections irrelevant. Powers of the Legislature. Restrictions.

Laws to be submitted to Congress for approval.

other property of non-residents be taxed higher than the lands or other property of residents. All the laws of the Governor and Legislative Assembly shall be submitted to, and if disapproved by, the Congress of the United States, the same shall be null and of no effect.

Approved, June 12, 1838.

CHAP. 518.—An act to create the office of surveyor of public lands in the Wisconsin Territory.

A surveyor to be appointed, who shall have the same authority, &c. as the surveyor of the U. S. lands in Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a surveyor for the Territory of Wisconsin shall be appointed, who shall have the same authority, and perform the same duties respecting the public lands and private land claims in the Territory of Wisconsin, as are now vested in and required of the surveyor of the lands of the United States in Ohio.

Surveyor for Ohio to deliver to the surveyor for Wisconsin all maps, &c. in his office, relating to lands in Wisconsin; or, where that is impracticable, certified copies.

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor for Ohio to deliver to the surveyor for Wisconsin Territory all the maps, papers, records, and documents, relating to the public lands and private land claims in the said Territory of Wisconsin, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records, and documents, without injury, it shall be his duty to cause copies thereof, certified by him, to be furnished to the surveyor for Wisconsin Territory; which copies shall be of the same validity as the originals. And the Secretary of the Treasury is hereby authorized to cause the expense attending the transfer of the records to be paid out of the appropriation for surveying the public lands.

Secretary of the Treasury to cause the expense of the transfer to be paid, &c.

Surveyor of Wisconsin to establish his office at Du Buque.

Allowed a salary of \$1,500 per annum.

Authorized to employ draughtsman and clerk; their salaries.

\$250 allowed for office rent, &c.

SEC. 3. *And be it further enacted,* That the surveyor for Wisconsin Territory, to be appointed in pursuance of this act, shall establish his office at the town of Du Buque, in the Territory of Wisconsin; and that he shall be allowed an annual salary of fifteen hundred dollars, to commence at such period as his office shall be in readiness for operation; and he shall be authorized to employ one draughtsman and clerk, whose aggregate compensation shall not exceed sixteen hundred dollars per annum. He shall also be allowed the sum of three hundred and fifty dollars per annum for office rent, fuel, and other incidental expenses of his office; to be paid out of the money appropriated for surveying the public lands.

Approved, June 12, 1838.

CHAP. 519.—An act concerning a seminary of learning in the Territory of Wisconsin.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Wisconsin to which the Indian title has been or may be extinguished, and not otherwise appropriated, a quantity of land not exceeding two entire townships, for the use and support of a university within the said Territory, and for no other use or purpose whatsoever; to be located in tracts of land of not less than an entire section, corresponding with any of the legal divisions into which the public lands are authorized to be surveyed.

Approved, June 12, 1838.

Secretary of the Treasury to set apart not exceeding two townships of land for the use and support of a university.

CHAP. 520.—An act to grant a quantity of land to the Territory of Wisconsin for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock river.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and hereby is, granted to the Territory of Wisconsin for the purpose of aiding in opening a canal to unite the waters of Lake Michigan, at Milwaukee, with those of Rock river, between the point of intersection with said river of the line dividing townships seven and eight and the Lake Koshkonong, all the land heretofore not otherwise appropriated or disposed of in those sections and fractional sections which are numbered with odd numbers on the plats of the public surveys, within the breadth of five full sections, taken in north and south or east and west tiers, on each side of the main route of said canal, from one end thereof to the other, and reserving the even-numbered sections and fractional sections, taken as above, to the United States; and the said land, so granted to aid in the construction of said canal, shall be subject to the disposal of the Legislature of the said Territory for the purpose aforesaid, and no other: *Provided*, That the said canal, when completed, and the branches thereof, shall be and forever remain a public highway for the use of the Government of the United States, free from any toll or other charge whatever for any property of the United States, or persons in their service, passing through the same: *Provided*, That said main canal shall be commenced within three years, and completed in ten years, or the United States shall be entitled to receive the amount for which any of said land may have been previously sold, and that the title to purchasers under the Territory shall be valid.

Certain lands granted to Wisconsin to aid in opening a canal to unite the waters of Lake Michigan with those of Rock river, &c.

The lands so granted shall be subject to the disposal of the Legislature.

Proviso.

Proviso.

So soon as the route of the main canal is located, the Governor shall transmit a plat of the same, showing its terminations, &c. to the Commissioner of the General Land Office, who shall ascertain, under the direction of the President, the lands herein granted, and cause lists of them to be prepared, one of which he shall transmit to the Governor or such other person as may be appointed by the Legislature to sell said lands, &c.

SEC. 2. And be it further enacted, That so soon as the route of the said main canal shall be definitively located and established, agreeably to an act of the Legislature of the said Territory, incorporating the Milwaukee and Rock River Canal Company, approved January fifth, one thousand eight hundred and thirty-eight, it shall be the duty of the Governor thereof to transmit a plat of the same, showing its terminations and its connexions with the section corners of the public surveys, to the Commissioner of the General Land Office, whose duty it shall be to ascertain, under the direction of the President of the United States, the particular lands herein granted to said Territory; and shall cause duplicate lists of the same to be prepared from the plats on file in his office, one of which he shall transmit to the Governor of said Territory, who, or such other person or persons as shall be appointed for the purpose, under the authority of the Legislature of the said Territory, or of the State which may be erected out of the same, after the admission of such State, shall have power to sell or convey the whole or any part of said land, at a price not less than two dollars and fifty cents per acre, and to give a title in fee simple therefor, to whomsoever shall purchase the whole or any part thereof.

The alternate, and fractional sections remaining to the United States shall not be sold for less than \$2 50 per acre, &c.

SEC. 3. And be it further enacted, That the alternate sections and fractional sections which shall remain to the United States, agreeably to the first section of this act, shall not be sold for a less sum than two dollars and fifty cents per acre, nor be subject to pre-emption.

Sections divided by the route of the main canal to be counted as being on that side of the line next the larger portion.

SEC. 4. And be it further enacted, That in reference to the provisions of the first section of this act, where a section shall be divided by the route of the main canal, such section shall be counted (in fixing the lateral limits of said grant) as being on or towards that side of the line next the larger portion of said section, ascertained by reference to the mile lines and corners of the sections, and the land and water thereby included.

Whenever the Territory of Wisconsin shall become a State, such part of the lands hereby granted as may not have been sold shall vest in the State, &c.

SEC. 5. And be it further enacted, That whenever the Territory of Wisconsin shall be admitted into the Union as a State, the lands hereby granted for the construction of the said canal, or such part thereof as may not have been already sold and applied to that object, under the direction of the Territorial Government, shall vest in the State of Wisconsin, to be disposed of under such regulations as the Legislature thereof may provide, the proceeds of sale to be applied to the construction of the said canal, or of such part thereof as may not have been completed; and the State of Wisconsin shall be entitled to hold, in virtue of the grant hereby made, as many shares of the stock of the said canal as shall be equivalent to the aggregate of all the sums of money arising from the nett proceeds of the sales of the said lands, and applied to the construction of the canal, any thing in the charter of the Milwaukee and Rock River Canal Com-

Number of shares the State of Wisconsin may hold in said canal, &c.

pany to the contrary notwithstanding, and shall be entitled to the same dividends on said stock as any other stockholder; and in the event that the said State shall make no other adequate provision for purchasing out the residue of the stock of the said canal, the dividends of the State stock hereby acquired, and all other proceeds of the sales of the lands hereby granted, shall constitute a fund, and be applied to the extinguishment of the claims of all other stockholders, until the entire stock vested in the canal shall have been acquired by the State; after which, and after the said State shall have been reimbursed for all expenses incurred out of her own proper funds in the construction and repairs of said canal, no other tolls or charge whatever, for the use or navigation of the said canal, shall be levied, except to such amount as may be required to keep the said canal and the works appurtenant thereto in good repair, and provide for the collection of the tolls and the superintendence of said canal: *Provided, moreover*, That no part of the said lands shall be sold for less than two dollars and a half per acre, nor any sale made until after three months' public notice thereof, and to the highest bidder; but in case such price cannot be obtained therefor, within five years from the first sale attempted to be made, it shall and may be lawful for the Territorial or State Legislature of Wisconsin to reduce the minimum price of the said lands.

In the event of the State making no other adequate provision for purchasing the residue of the stock, the dividends of the State stock, &c. shall constitute a fund for the extinguishment of the claims of the other stockholders: after which, and after the State shall have been reimbursed for expenses incurred out of her own proper funds, no other tolls shall be levied, than, &c.

Proviso.

SEC. 6. *And be it further enacted*, That the said State of Wisconsin shall be held responsible to the United States, and for the payment into the Treasury thereof, of the amount of all moneys received upon the sale of the whole or any part of said land, at the price at which the same shall be sold, not less than two dollars and fifty cents per acre, if the said main canal shall not be commenced within three years, and completed within ten years, pursuant to the provisions of the act creating said canal corporation.

Wisconsin responsible to the United States for all moneys received on the sale of said land, if the main canal be not commenced in three years and completed in ten.

SEC. 7. *And be it further enacted*, That in order to render effectual the provisions of this act, the Legislature of the State to be erected or admitted out of the territory now comprised in Wisconsin Territory, east of the Mississippi, shall give their assent to the same by act to be duly passed.

Legislature of the State to be erected out of the Territory of Wisconsin shall give their assent to this act.

SEC. 8. *And be it further enacted*, That for the purpose of securing a better price for the lands hereby granted, and expediting the construction of the said canal, the Territorial Legislature of Wisconsin may borrow, upon a pledge of the said lands, such sum or sums of money as they may think expedient, and defer the sale of said lands, or any part thereof, until such time or times, not exceeding two years beyond the period of completion of said canal, as they may deem expedient; and for such sum or sums as may be so borrowed, and applied to the construction of said canal, the State of Wisconsin shall be entitled to such interest in the stock of said canal as shall be equivalent thereto in amount, and the

For securing a better price for the lands, &c. the Legislature of Wisconsin may borrow, upon a pledge of said lands, such sum as they may think expedient.

interest so acquired shall be subject to all the obligations and restrictions provided in the last section of this act.

Assent of Congress hereby given to the act of the Legislature of Wisconsin, incorporating the Milwaukee and Rock River Canal Company, subject to the preceding modifications, and the following provision.

SEC. 9. *And be it further enacted*, That the assent of Congress is hereby given to the act of the Territorial Legislature of Wisconsin entitled an act to incorporate the Milwaukee and Rock River Canal Company, subject to the preceding modifications and to the following provision: that in estimating the principal sum and interest to be paid by the said Territory or the future State of Wisconsin to the stockholders of the said canal, a credit shall be given to the Territory or State, for all dividends received by the said stockholders prior to the extinguishment of their interest in the said canal, in the mode provided by the twenty-third section of the said act of incorporation.

Congress may, until Wisconsin is admitted as a State, regulate the tolls; and afterwards the State Legislature shall possess that power.

SEC. 10. *And be it further enacted*, That Congress may, at any time until said Territory shall be admitted as a State, prescribe and regulate the tolls to be received by said company; and after said Territory shall be admitted as a State, the Legislature thereof shall possess the like power; and said act of incorporation is hereby approved, subject to the modification and conditions aforesaid.

Secretary of the Treasury reserve from sale the lands probably falling within the limits of said grant until the canal can be located, &c.

SEC. 11. *And be it further enacted*, That the Secretary of the Treasury shall reserve from sale the lands probably falling within the limits of said grant, and the lands which, by the first section, were reserved to the United States, until the said canal can be located and the lands selected as contemplated by this act, and no pre-emption right shall attach thereto.

Approved, June 18, 1838.

CHAP. 521.—An act to grant pre-emption rights to settlers on the public lands.

Qualifications necessary to entitle settlers to the benefits and privileges of act of 29th May, 1830.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every actual settler of the public lands, being the head of a family, or over twenty-one years of age, who was in possession and a housekeeper, by personal residence thereon, at the time of the passage of this act, and for four months next preceding, shall be entitled to all the benefits and privileges of an act entitled "An act to grant pre-emption rights to settlers on the public lands,"* approved May twenty-ninth, eighteen hundred and thirty, and the said act is hereby revived and continued in force two years: *Provided*, That where more than one person may have settled upon and cultivated any one quarter section of land, each one of them shall have an equal share or interest in the said quarter section, but shall have no claim, by virtue of this act, to any other land: *And provided, always*, That this act shall not be so construed as to give a right of pre-emption to any person or persons, in consequence of any settlement or improvement made before the extinguishment of the Indian

*Chapter 401.

Act of 29th May, 1830, revived and continued for two years.

Proviso.

Proviso.

title to the land on which such settlement or improvement was made, or to the lands lately acquired by treaty with the Miami tribe of Indians, in the State of Indiana, of which proclamation was made by the President of the United States on the twenty-second day of December, eighteen hundred and thirty-seven, or to any sections or fractions of sections of land included within the location of any incorporated town, or to the alternate sections to other alternate sections granted to the use of any canal, railroad, or other public improvement on the route of such canal, railroad, or other public improvement, or to any portions of public lands, surveyed or otherwise, which have been actually selected as sites for cities or towns, lotted into smaller quantities than eighty acres, and settled upon and occupied for the purposes of trade, and not of agricultural cultivation and improvement, or to any land specially occupied or reserved for town lots, or other purposes, by authority of the United States: *And provided,* ^{Provis.} *further,* That nothing herein contained shall be construed to affect any of the selections of public lands for the purposes of education, the use of salt springs, or for any other purpose which may have been or may be made by any State, under existing laws of the United States: but this act shall not be so construed as to deprive those of the benefits of this act, who have inhabited, according to its provisions, certain fractions of the public lands within the land district of Palmyra, in the State of Missouri, which were reserved from sale in consequence of the surveys of Spanish and French grants, but are found to be without the lines of said grants. That before any person claiming the benefit of this law shall have a patent for the land which he may claim by having complied with its provisions, he shall make oath, before some person authorized by law to administer the same, which oath, with the certificate of the person administering it, shall be filed with the register of the proper land office when the land is applied for, and by said register sent to the office of the Commissioner of Public Lands, that he entered upon the land which he claims, in his own right, and exclusively for his own use and benefit, and that he has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person or persons whatever, by which the title which he might acquire from the Government of the United States should inure to the use or benefit of any one except himself, or to convey or transfer the said land, or the title which he may acquire to the same, to any other person or persons whatever, at any subsequent time; and if such person, claiming the benefit of this law as aforesaid, shall swear falsely in the premises, he shall be subject to all the pains and penalties for perjury, forfeit the money which he may have paid for the land, and all right and title to the said land, and any grant or conveyance which he may have made in pursuance of such agreement or contract, as aforesaid, shall be void, except in the hands of a purchaser in good faith, for

Proviso.

a valuable consideration without notice. And the certificate which shall be filed with the Commissioner, as aforesaid, shall be taken to be conclusive evidence that the oath was legally administered: *And provided, further*, That it shall be the duty of the President of the United States to cause to be reserved from sale or entry, under the provisions of this or any other law of the United States, any tract or tracts of land reserved to any Choctaw, under the provisions of the treaty of Dancing Rabbit creek, of one thousand eight hundred and thirty, and also to reserve from sale or entry a sufficient quantity of the lands acquired by said treaty, upon which no such settlement or improvement has been made, as would entitle the settler or improver to a right of pre-emption under this act, to satisfy the claims of such Indians as may have been entitled to reservations under the said treaty, and whose lands may have been sold by the United States, on account of any default, neglect, or omission of duty, on the part of any officer of the United States; such reservation from sale to continue until the claims to reservations under said treaty shall be investigated by the board of commissioners appointed for that purpose, and their report finally acted on by Congress.

Approved, June 22, 1838.

[See Part II, Nos. 1,011, 1,012, 1,013, 1,014, 1,015.]

CHAP. 522.—An act to confirm the act of the Legislative Council of Florida, incorporating the "Florida Peninsula Railroad and Steamboat Company," and granting the right of way to said company through the public lands, and for other purposes.

Act of the Legislative Council of Florida, incorporating the Florida Peninsula Railroad and Steamboat Company, confirmed.

Proviso.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act passed by the Legislative Council of Florida, entitled "An act to incorporate the Florida Peninsula Railroad and Steamboat Company," approved eighth January, eighteen hundred and thirty-eight, be, and the same is hereby, ratified and confirmed: *Provided, however*, That the said company shall not be deemed to have, nor shall they exercise, banking privileges; nor shall the said act be so construed as to give or grant banking privileges to said company; and in case the said company shall exercise banking privileges, of any description, in any way or manner, then this confirmation or ratification of said act of incorporation shall be void and of no effect.

Right of way through the public lands granted.

Proviso.

SEC. 2. *And be it further enacted*, That the right of way shall be, and is hereby, granted to said company over and through any of the public lands of the United States over which the said road may pass: *Provided*, That the said land to be used and occupied by said company for the line or route of such road shall not exceed eighty feet in width.

SEC. 3. *And be it further enacted*, That the said company

shall have the right to take from the public lands in the vicinity of said road, and within twenty rods of the centre thereof, on each side, all such materials of earth, stone, or wood, as may be necessary or convenient for the actual construction of said road or any part thereof; and, during the construction of said road, to occupy said lands to the width aforesaid, so far as may be necessary to the convenient performance of said works: *Provided, however,* That the rights and privileges granted by this section shall be so exercised as to cause as little damage as possible to the public lands adjacent to said road; and proper drains or sluices shall be constructed by the said company, so as to prevent the obstruction of any streams or watercourses which may be crossed by said road.

Right to take from the public lands earth, stone, or wood, for the construction of said road, &c.

Proviso.

SEC. 4. *And be it further enacted,* That there shall be, and are hereby, granted to the said company all necessary sites for watering-places, depots, and work-shops, along the line of road: *Provided,* That no one depot or watering-place shall contain over four square acres, to be laid off in a square form; and not more than one of said squares shall be granted to or taken by said company for each ten miles of said road.

Sites granted for watering-places, depots, and work-shops.

Proviso.

SEC. 5. *And be it further enacted,* That the said company shall, with as little delay as may be convenient, and at all events within one year from the passage of this act, and at their own expense, cause the route of said road and the sites which they may select for depots, watering-places, or work-shops, to be surveyed and designated through said public lands by plain marks and monuments; copies of the field notes of the survey, with a map or plat of the said route and of said sites, and of the connexion of said route with the previous official surveys of the adjacent lands, shall be returned to the office of the surveyor general of that land district and to the General Land Office at Washington.

Said company shall, within one year, cause the route of the road and the sites for depots, &c. to be surveyed and designated, &c.

SEC. 6. *And be it further enacted,* That if the said road shall be abandoned or discontinued, or if the route shall cease to be used by said company for the purposes of a railroad, then and in that case this act and the privileges hereby granted shall cease and be void, and the land occupied by said road shall revert to the United States.

If the road shall be abandoned, &c. this act shall cease and be void.

SEC. 7. *And be it further enacted,* That Congress may at any time, until said Territory shall be admitted as a State, prescribe and regulate the tolls to be received by said company, and after said Territory shall be admitted as a State, the Legislature thereof shall possess the like power, and said act of incorporation is hereby approved, subject to the modifications and conditions aforesaid.

Congress may, until Florida becomes a State, regulate the tolls; after which the Legislature shall possess that power.

Approved, June 28, 1838.

CHAP. 523.—An act to grant to Cherokee county, Alabama, the tract of land on which the seat of justice of said county has been located.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, granted to the county of Cherokee, in the State of Alabama, a tract of land lying on the Coosa river, whereon the town of Jefferson is situated, in said county, containing one hundred and fifty acres, according to the survey of S. R. Russell, county surveyor, for the seat of justice of said county, instead of the quarter section allowed by law for the same purpose; the commissioners of said county paying for the same the minimum price, as in other cases.

Approved, July 5, 1838.

A tract of land on the Coosa river granted to Cherokee county for the seat of justice, instead of the quarter section allowed by law, &c.

CHAP. 524.—An act to authorize the issuing of patents to the last bona-fide transferees of reservations under the treaty between the United States and the Creek tribe of Indians which was concluded on the twenty-fourth of March, eighteen hundred and thirty-two.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized and required to cause patents to be issued to such person or persons as may be the bona-fide purchaser, owner, assignee, or transferee, of any selection or reservation which has been made to, or in behalf of, any chief or head of an Indian family, under a treaty concluded between the United States and the Creek tribe of Indians, at Washington city, on the twenty-fourth day of March, eighteen hundred and thirty-two, whatever may be the number of intermediate transfers or assignments: *Provided,* The person or persons applying for such patent or patents shall adduce satisfactory proof to the Commissioner of the General Land Office of the fairness of said several preceding transfers or assignments.

Approved, July 5, 1838.

The President to cause patents to issue to the last purchasers, &c. of selection or reservation made to, or on behalf of, chiefs or heads of Indian families, under Creek treaty of March 24, 1832.

Proviso.

CHAP. 525.—An act to authorize the sale of certain public lands of the United States near the Wabash and Erie canal, in the State of Ohio.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That after the State of Ohio shall have completed the selection of lands authorized by an act entitled "An act authorizing the selection of certain Wabash and Erie canal lands, in the State of Ohio, approved June thirty, eighteen hundred and thirty-four, the President of the United States shall be, and he hereby is, authorized to proclaim for public sale the residue of the lands reserved by that act, &c.

After the State of Ohio shall have completed the selection of lands authorized by act of June 30, 1834, the President is authorized to proclaim for public sale the residue of the lands reserved by that act, &c.

sale the residue of the lands reserved from sale by said act ; which sale shall be governed by the same rules and regulations, impose the same duties, and give the same rights, which are provided by the existing laws in relation to other sales of the public lands by proclamation of the President : *Provided, however,* That no lands shall be sold at such sale for a less price than two dollars and fifty cents per acre.

SEC. 2. *And be it further enacted,* That after the expiration of the time fixed in the proclamation of the President for the sale authorized in the first section of this act, any lands which may then remain unsold shall be subject to sale at private entry, at the price of two dollars and fifty cents per acre, and not less ; and no lands hereby authorized to be sold shall be subject to entry under any pre-emption law of Congress.

After the expiration of the time fixed for said sale, any lands remaining unsold shall be subject to private entry, &c.

Not subject to entry under pre-emption laws.

Approved, July 7, 1838.

CHAP. 526.—An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office.*

*See chapter 423, sec. 2.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Scioto rivers, northwest of the river Ohio, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed until the tenth day of August, in the year one thousand eight hundred and forty, to complete their locations and surveys, and return their surveys and warrants, or certified copies thereof, to the General Land Office ; and all entries and surveys which may have heretofore been made within the said reservation, in satisfaction of any such warrants, on lands not previously entered or surveyed, or on lands not prohibited from entry and survey, shall be held to be good and valid, any omission heretofore to extend the time for the making of such entries and surveys to the contrary notwithstanding : *Provided,* That no locations, as aforesaid, within the above-mentioned tract, shall, after the passage of this act, be made on tracts of land which may have been previously patented, or which may have been surveyed in satisfaction of warrants granted for the legal bounties of said officers and soldiers : *And provided, also,* That no locations, as aforesaid shall be made on any lands lying upon the west side of Ludlow's line ; and any patent which may nevertheless be obtained for land located contrary to the provisions of this act, shall be held and considered as null and void.

Officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands, allowed until Aug. 10, 1840, to complete their locations, and return their warrants, &c.

All entries and surveys heretofore made, in satisfaction of said warrants, on lands not previously entered, &c. shall be good, &c.

Provided.

Provided.

SEC. 2. *And be it further enacted,* That no patent shall be issued by virtue of the preceding section, for a greater

No patent shall issue for a greater quantity of land

than the rank or term of service of the officer or soldier to whom said warrant issued would have entitled him to under the laws of Virginia and the United States regulating the issuing of such warrants, &c.

quantity of land than the rank or term of service of the officer or soldier to whom, or to whose heirs or assigns, such warrant has been granted, would have entitled him to under the laws of Virginia and of the United States regulating the issuing of such warrants; and whenever it appears to the Secretary of War that the survey made by any of the aforesaid warrants is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on each survey, the amount of such surplus quantity, and the officer or soldier, his heirs or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey; and a patent shall issue upon such resurvey, as in other cases: *Provided, however,* That no patent shall be obtained on any warrant under this act, unless there be produced to the Secretary of War satisfactory evidence that such warrant was granted for services which, by the laws of Virginia passed prior to the cession of the Northwestern Territory, would have entitled such officer or soldier, his heirs or assigns, to bounty lands; and, also, a certificate of the register of the land office of Virginia, that no other warrant has issued from the said land office for the same services.

Proviso.

Approved, July 7, 1838.

CHAP. 527.—An act to establish additional land offices in the States of Louisiana and Arkansas.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the disposal of that portion of the lands belonging to the United States in the State of Louisiana, within the following boundaries, to wit: beginning at the point on the Sabine river where the base line or thirty-first degree of north latitude strikes the same; thence, up said river, to the point where the boundary line between the United States of Mexico and the aforesaid State of Louisiana shall leave the same, thence, with said boundary, when the same shall be finally fixed, to the northern boundary of the State; thence, east, with said northern boundary, to the dividing line between the ranges three and four west; thence, with said dividing line, south, to the base line or thirty-first degree of north latitude; thence, with said line, to the beginning: a land office shall be established and kept in the town of Natchitoches, to be known as the office for the Northwestern land district in the State of Louisiana.

For the disposal of certain U. S. lands in Louisiana, a land office shall be established and kept in Natchitoches, to be known as the office of the Northwestern land district in Louisiana.

Register and receiver to be appointed, to reside in Natchitoches; their bonds, salaries, and duties.

SEC. 2. *And be it further enacted,* That a register and receiver of public moneys shall be appointed for said land district, in the manner required by law, who shall reside in the town of Natchitoches; they shall give bond and security

in the same manner and in the same sums as other registers and receivers in said State; and their salaries, emoluments, duties, and authority, shall in every respect be the same, in relation to the lands in the aforesaid district, as are now given or granted to the registers and receivers in the other land offices in said State.

SEC. 3. *And be it further enacted*, That during the continuance of the act entitled "An act to grant pre-emption rights to settlers on the public lands,"* approved June twenty-second, in the year eighteen hundred and thirty-eight, the register and receiver of the aforesaid land district shall attend at least once in two months, if necessary, at Shreveport, in said district, for the purpose of receiving proof of and acting on such claims for pre-emption rights as may be presented to them under said act, and remain at said place as long as may be necessary, not exceeding two weeks at a time; and said register and receiver shall give public notice, for at least two weeks, of the time they will attend at said place.

SEC. 4. *And be it further enacted*, That the Commissioner of the General Land Office is hereby invested with authority to direct in what manner and on what conditions the said land office shall be supplied with plats and copies of plats and surveys from the offices now established at Monroe and Opelousas, and the office of the surveyor general of Louisiana.

SEC. 5. *And be it further enacted*, That all that portion of the present Fayetteville district which lies south of the line between townships eleven and twelve, north of the principal base line, shall form a separate land district, and be called the Western land district; and the land office for said district shall be established at the county seat of Johnson county, or such other place as the President of the United States shall designate.

SEC. 6. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, under the existing laws, a register and receiver in and for said district, whose compensation shall be the same as provided for other registers and receivers; and it shall be the duty of the Secretary of the Treasury, as soon as it can be done, to cause the necessary tract books, plats, maps, and surveys of the public lands, in said district, to be filed in said office; and all applications for entries in said district shall be made as heretofore prescribed by law at the land offices now established, until the first day of June next.

Approved, July 7, 1838.

During the continuance of the act of 22d June, 1833, the register and receiver shall attend at Shreveport, to act upon pre-emption claims.

*Chapter 523.

Commissioner of the General Land Office to direct how the office shall be supplied with plats, &c.

What portion of Fayetteville district shall be called the Western district.

Where land office shall be established.

Register and receiver to be appointed.

Their compensation.

The necessary books, plats, &c. of the public lands to be filed in said office.

Entries to be made as heretofore until June 1, 1839.

[See Part II, No. 1,010.]

CHAP. 598.—An act to encourage the introduction and promote the cultivation of tropical plants in the United States.

Preamble.

Whereas, in obedience to the Treasury circular of the sixth of September, eighteen hundred and twenty-seven, Doctor Henry Perrine, late American consul at Campeachy, has distinguished himself by his persevering exertions to introduce tropical plants into the United States: and whereas he has demonstrated the existence of a tropical climate in southern Florida, and has shown the consequent certainty of the intermediate domestication of tropical plants in tropical Florida, and the great probability of their gradual acclimation throughout all our Southern and Southwestern States, especially of such profitable plants as propagate themselves on the poorest soils: and whereas, if the enterprise should be successful, it will render valuable our hitherto worthless soils, by covering them with a dense population of small cultivators and family manufacturers, and will thus promote the peace, prosperity, and permanency, of the Union: Therefore,

A township of land in E. Florida granted to Dr. H. Perrine and his associates.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a township of land is hereby granted to Doctor Henry Perrine and his associates, in the southern extremity of the peninsula of East Florida, to be located in one body of six miles square, upon any portion of the public lands below twenty-six degrees north latitude.

To be located within two years, and surveyed by the surveyor of Florida.
Proviso.

SEC. 2. *And be it further enacted*, That the said tract of land shall be located within two years from this date, by said Henry Perrine, and shall be surveyed under his direction by the surveyor of Florida, *Provided*, That it shall not embrace any land having sufficient quantities of naval timber to be reserved to the United States, nor any sites for maritime ports or cities.

When a patent shall issue to H. Perrine and his associates.

SEC. 3. *And be it further enacted*, That whenever any section of land in said tract shall be really occupied by a bonafide settler, actually engaged in the propagation or cultivation of valuable tropical plants, and upon proof thereof being made to the Commissioner of the General Land Office, a patent shall issue to the said Henry Perrine and his associates.

How and when it shall be forfeited to the U. States.

SEC. 4. *And be it further enacted*, That every section of land in the tract aforesaid, which shall not be occupied by an actual settler, positively engaged in the propagation or cultivation of useful tropical plants, within eight years from the location of said tract, or when the adjacent territory shall be surveyed and offered for sale, shall be forfeited to the United States.

Approved, July 7, 1838.

CHAP. 529.—A resolution relating to the public revenue and dues to the Government.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be lawful for the Secretary of the Treasury to make or to continue in force any general order which shall create any difference between the different branches of revenue, as to the money or medium of payment in which debts and dues, accruing to the United States, may be paid.

No difference to be made between different branches of the revenue, as to the money of payment.

Approved, May 31, 1838.

[See Part II, Appendix, page 1,017, No. 1,008.]

APPENDIX.

No. 1.

Cession from the State of Virginia.

Whereas the General Assembly of Virginia, at their session commencing on the 20th day of October, 1783, passed an act to authorize their delegates in Congress to convey to the United States in Congress assembled all the right of that Commonwealth to the territory northwestward of the river Ohio: and whereas the delegates of the said Commonwealth have presented to Congress the form of a deed proposed to be executed pursuant to the said act, in the words following:

In Congress,
March 1, 1784.

To all who shall see these presents, we, Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, the underwritten delegates for the Commonwealth of Virginia, in the Congress of the United States of America, send greeting:

Form of the deed.

Whereas the General Assembly of the Commonwealth of Virginia, at their sessions begun on the 20th day of October, 1783, passed an act entitled "An act to authorize the delegates of this State in Congress to convey to the United States in Congress assembled all the right of this Commonwealth to the territory northwestward of the river Ohio," in these words following, to wit:

"Whereas the Congress of the United States did, by their act of the sixth day of September, in the year one thousand seven hundred and eighty, recommend to the several States in the Union having claims to waste and unappropriated lands in the Western country, a liberal cession to the United States, of a portion of their respective claims, for the common benefit of the Union: and whereas this Commonwealth did, on the second day of January, in the year one thousand seven hundred and eighty-one, yield to the Congress of the United States, for the benefit of the said States, all right, title, and claim, which the said Commonwealth had to the territory northwest of the river Ohio, subject to the conditions annexed to the said act of cession: and whereas the United States in Congress assembled have, by their act of the thirteenth of September last,* stipulated the terms on which they agree to accept the cession of this State, should

Act of Virginia recited.

*As this act of cession recites the substance of the act of Congress referred to, it is deemed unnecessary to insert it at large.

the Legislature approve thereof; which terms, although they do not come fully up to the propositions of this Commonwealth, are conceived, on the whole, to approach so nearly to them as to induce this State to accept thereof, in full confidence that Congress will, in justice to this State, for the liberal cession she hath made, earnestly press upon the other States claiming large tracts of waste and uncultivated territory, the propriety of making cessions equally liberal, for the common benefit and support of the Union :

Delegates authorized to convey to the United States the territory north-west of the Ohio, &c.

"Be it enacted by the General Assembly, That it shall and may be lawful for the delegates of this State to the Congress of the United States, or such of them as shall be assembled in Congress, and the said delegates, or such of them so assembled, are hereby fully authorized and empowered, for and on behalf of this State, by proper deeds or instrument in writing, under their hands and seals, to convey, transfer, assign, and make over, unto the United States in Congress assembled, for the benefit of the said States, all right, title, and claim, as well of soil as jurisdiction, which this Commonwealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying, and being, to the northwest of the river Ohio, subject to the terms and conditions contained in the before-recited act of Congress of the thirteenth day of September last; that is to say, upon condition that the territory so ceded shall be laid out and formed into States, containing a suitable extent of territory, not less than one hundred nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit : and that the States so formed shall be distinct republican States, and admitted members of the Federal Union, having the same rights of sovereignty, freedom, and independence, as the other States.

Conditions.

Territory to be laid out into States.

Expenses of Virginia in subduing or defending the ceded territory, to be reimbursed.

"That the necessary and reasonable expenses incurred by this State, in subduing any British posts, or in maintaining forts and garrisons within, and for the defence, or in acquiring any part of, the territory so ceded or relinquished, shall be fully reimbursed by the United States; and that one commissioner shall be appointed by Congress, one by this Commonwealth, and another by those two commissioners, who, or a majority of them, shall be authorized and empowered to adjust and liquidate the account of the necessary and reasonable expenses incurred by this State, which they shall judge to be comprised within the intent and meaning of the act of Congress of the tenth of October, one thousand seven hundred and eighty, respecting such expenses. That the French and Canadian inhabitants and other settlers of the Kaskaskies, St. Vincent's, and the neighboring villages, who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties. That a quantity not exceeding one hundred and fifty thousand acres of land, promised by this State, shall be allowed and

French inhabitants to have their possessions confirmed.

160,000 acres to be granted to Clarke's regiment.

granted to the then Colonel, now General, George Rogers Clarke, and to the officers and soldiers of his regiment, who marched with him when the post of Kaskaskies and St. Vincent's were reduced, and to the officers and soldiers that have been since incorporated into the said regiment, to be laid off in one tract, the length of which not to exceed double the breadth, in such place, on the northwest side of the Ohio, as a majority of the officers shall choose, and to be afterwards divided among the said officers and soldiers in due proportion, according to the laws of Virginia. That in case the quantity of good land on the southeast side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law for the Virginia troops upon continental establishment, should, from the North Carolina line bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops, in good lands, to be laid off between the rivers Scioto and Little Miami, on the northwest side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia. That all the lands within the territory so ceded to the United States, and not reserved for, or appropriated to, any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of the said States, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bonafide disposed of for that purpose, and for no other use or purpose whatsoever: *Provided*, That the trust hereby reposed in the delegates of this State shall not be executed unless three of them at least are present in Congress.

Deficiency of military bounties in land promised by Virginia, to be made up between Scioto and Little Miami.

Lands ceded to be a common fund for the United States.

Three delegates to be present.

"And whereas the said General Assembly, by their resolution of June sixth, one thousand seven hundred and eighty-three, had constituted and appointed us, the said Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, delegates to represent the said Commonwealth in Congress for one year, from the first Monday in November then next following, which resolution remains in full force: now, therefore, know ye, that we, the said Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, by virtue of the power and authority committed to us by the act of the said General Assembly of Virginia, before recited, and in the name and for and on behalf of the said Commonwealth, do, by these presents, convey, transfer, assign, and make over, unto the United States in Congress assembled, for the benefit of the said States, Virginia inclusive, all right, title, and claim, as well of soil as of jurisdiction, which the said Commonwealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying, and

Delegates convey the territory.

being, to the northwest of the river Ohio, to and for the uses and purposes and on the conditions of the said recited act. In testimony whereof, we have hereunto subscribed our names, and affixed our seals, in Congress, the first day of March, in the year of our Lord one thousand seven hundred and eighty-four, and of the independence of the United States the eighth."

Congress ready to receive the deed.

Resolved, That the United States in Congress assembled are ready to receive this deed whenever the delegates of the State of Virginia are ready to execute the same.

Deed executed.

The delegates of Virginia then proceeded and signed, sealed, and delivered, the said deed; whereupon Congress came to the following resolution:

Deed from Virginia to be recorded.

The delegates of the Commonwealth of Virginia having executed the deed,

Resolved, That the same be recorded and enrolled among the acts of the United States in Congress assembled.

[See Part II, Nos. 36, 43, 90, 134, 136, 137.]

No. 2.

An act to repeal part of a resolution of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight, respecting the inhabitants of Post St. Vincent's.

Part of the resolution mentioned, repealed.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the resolution of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight, as requires the French and Canadian inhabitants and other settlers at Post St. Vincent's to pay for the survey of the several tracts which they rightfully claimed, and which had been allotted to them, according to the laws and usages of the Government under which they had settled, be, and hereby is, repealed; and that such surveys thereof as may have been made be paid for by the United States, not exceeding the rates hitherto established by Congress for making surveys.

The surveys made to be paid for by the United States, &c.

Approved, February 21, 1793.

No. 3.

Articles of agreement and cession between the United States and the State of Georgia.

Articles of agreement and cession, 24th April, 1802, &c.

Articles of agreement and cession entered into on the twenty-fourth day of April, one thousand eight hundred and two, between the commissioners appointed on the part of

the United States, by virtue of an act entitled "An act for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a Government in the Mississippi Territory," and of the act supplemental to the last-mentioned act, on the one part, and the commissioners appointed on the part of the State of Georgia, by virtue of an act entitled "An act to carry the twenty-third section of the first article of the constitution into effect," and of the act to amend the last-mentioned act, on the other part.

ART. 1. The State of Georgia cedes to the United States all the right, title, and claim, which the said State has to the jurisdiction and soil of the lands situated within the boundaries of the United States, south of the State of Tennessee, and west of a line beginning on the western bank of the Chatahouchee river, where the same crosses the boundary line between the United States and Spain; running thence, up the said river Chatahouchee, and along the western bank thereof, to the great bend thereof, next above the place where a certain creek or river, called "Uchee," (being the first considerable stream on the western side, above the Cussetas and Coweta towns,) empties into the said Chatahouchee river; thence, in a direct line, to Nickajack, on the Tennessee river; thence, crossing the said last-mentioned river; and thence, running up the said Tennessee river, and along the western bank thereof, to the southern boundary line of the State of Tennessee; upon the following express conditions, and subject thereto, that is to say:

First. That out of the first nett proceeds of the sales of the lands thus ceded, which nett proceeds shall be estimated by deducting, from the gross amount of sales, the expenses incurred in surveying, and incident to the sale, the United States shall pay, at their Treasury, one million two hundred and fifty thousand dollars to the State of Georgia, as a consideration for the expenses incurred by the said State in relation to the said territory; and that, for the better securing as prompt a payment of the said sum as is practicable, a land office for the disposition of the vacant lands thus ceded, to which the Indian title has been or may hereafter be extinguished, shall be opened within a twelvemonth after the assent of the State of Georgia to this agreement, as hereafter stated, shall have been declared.

Secondly. That all persons who, on the twenty-seventh day of October, one thousand seven hundred and ninety-five, were actual settlers within the territory thus ceded, shall be confirmed in all the grants legally and fully executed prior to that day, by the former British Government of West Florida, or by the Government of Spain, and in the claims which may be derived from any actual survey or settlement made under the act of the State of Georgia entitled "An act for laying out a district of land situate on the river Mississippi, and within the bounds of this State, into a

Georgia cedes territory west of Chatahouchee and of a certain line.

Conditions.

\$1,250,000 to be paid by the United States out of first nett proceeds of sales of ceded lands.

Certain settlers confirmed in their grants, and in certain claims.

county, to be called "Bourbon," passed the seventh day of February, one thousand seven hundred and eighty-five.

Lands thus ceded to be a common fund.

Thirdly. That all the lands ceded by this agreement to the United States shall, after satisfying the above-mentioned payment of one million two hundred and fifty thousand dollars to the State of Georgia, and the grants recognised by the preceding conditions, be considered as a common fund for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever: *Provided, however,* That the United States, for the period and until the end of one year after the assent of Georgia to the boundary established by this agreement shall have been declared, may, in such manner as not to interfere with the above-mentioned payment to the State of Georgia, nor with the grants hereinbefore recognised, dispose of or appropriate a portion of the said lands, not exceeding five millions of acres, or the proceeds of the said five millions of acres, or of any part thereof, for the purpose of satisfying, quieting, or compensating, for any claims other than those hereinbefore recognised, which may be made to the said lands, or to any part thereof. It being fully understood, that if an act of Congress, making such disposition or appropriation, shall not be passed into a law, within the above-mentioned period of one year, the United States shall not be at liberty thereafter to cede any part of the said lands on account of claims which may be laid to the same, other than those recognised by the preceding condition, nor to compensate for the same, and in case of any such cession or compensation, the present cession of Georgia to the right of soil over the lands thus ceded or compensated for shall be considered as null and void; and the lands thus ceded or compensated for shall revert to the State of Georgia.

Proviso.

The United States may dispose of or appropriate not exceeding five millions of acres for satisfying certain claims.

But said appropriation to be made within one year or to be null, &c.

Indian title to lands in Georgia to be extinguished by the United States.

Fourthly. That the United States shall, at their own expense, extinguish, for the use of Georgia, as early as the same can be peaceably obtained, on reasonable terms, the Indian title to the county of Talassee, to the lands left out by the line drawn with the Creeks, in the year one thousand seven hundred and ninety-eight, which had been previously granted by the State of Georgia; both which tracts had formerly been yielded by the Indians; and to the lands within the forks of Oconee and Oakmulgee rivers; for which several objects the President of the United States has directed that a treaty should be immediately held with the Creeks; and that the United States shall, in the same manner, also extinguish the Indian title to all the other lands within the State of Georgia.

Territory to form a State and to be admitted into the Union.

Fifthly. That the territory thus ceded shall form a State, and be admitted as such into the Union, as soon as it shall contain sixty thousand free inhabitants, or at an earlier period if Congress shall think it expedient, on the same conditions and restrictions, with the same privileges, and in the

same manner, as is provided in the ordinance of Congress of the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the Western Territory of the United States; which ordinance shall, in all its parts, extend to the territory contained in the present act of cession, that article only excepted which forbids slavery.

ART. 2. The United States accept the cession above mentioned, and on the conditions therein expressed; and they cede to the State of Georgia whatever claim, right, or title, they may have to the jurisdiction or soil of any lands, lying within the United States, and out of the proper boundaries of any other State, and situated south of the southern boundaries of the States of Tennessee, North Carolina, and South Carolina, and east of the boundary line hereinabove described as the eastern boundary of the territory ceded by Georgia to the United States.

Cession accepted by the United States.

United States cede to Georgia certain lands east of the line above mentioned, &c.

ART. 3. The present act of cession and agreement shall be in full force as soon as the Legislature of Georgia shall have given its assent to the boundaries of this cession: *Provided*, That the said assent shall be given within six months after the date of these presents: *And provided*, That Congress shall not, during the same period of six months, repeal so much of any former law as authorizes this agreement, and renders it binding and conclusive on the United States. But if either the assent of Georgia shall not be thus given, or if the law of the United States shall be thus repealed within the said period of six months, then, and in either case, these presents shall become null and void.

Assent of Georgia to be given within six months.

Agreement null, if, &c.

Signed, &c.

Act of Georgia.

An act to ratify and confirm certain articles of agreement and cession, entered into on the 24th day of April, 1802, between the commissioners of the State of Georgia on the one part, and the commissioners of the United States on the other part.

Act of Georgia, June 16, 1802.

Whereas the commissioners of the State of Georgia, to wit: James Jackson, Abraham Baldwin, and John Milledge, duly authorized and appointed by and on the part and behalf of the said State of Georgia, and the commissioners of the United States, James Madison, Albert Gallatin, and Levi Lincoln, duly authorized and appointed by and on the part and behalf of the said United States, to make an amicable settlement of limits between the two sovereignties, after a due examination of their respective powers, did, on the 24th day of April last, enter into a deed of articles and mutual cession, in the words following, to wit:

[Here follow the articles of agreement, verbatim].

Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and by

Articles of agreement ratified.

the authority thereof, That the said deed or articles of agreement and cession be, and the same hereby is, and are fully, absolutely, and amply, ratified and confirmed in all its parts; and hereby is, and are declared to be, binding and conclusive on the said State, her Government, and citizens, forever.

No. 4.

Cession from the State of South Carolina.

In Congress,
August 9, 1787.

In virtue of the powers in them vested, the delegates of the State of South Carolina, for and in behalf of the said State, executed the following deed of cession to the United States of America :

To all who shall see these presents, we, John Kean and Daniel Huger, the underwritten delegates for the State of South Carolina, in the Congress of the United States, send greeting :

Recitation of the
powers of the dele-
gates, &c.

Whereas the General Assembly of the State of South Carolina, on the eighth day of March, in the year of our Lord one thousand seven hundred and eighty-seven, passed an act in the words following, viz : " An act to authorize the delegates of this State in Congress to convey to the United States in Congress assembled all the right of this State to the territory herein described : Whereas the Congress of the United States did, on the sixth day of September, in the year one thousand seven hundred and eighty, recommend to the several States in the Union, having claims to Western territory, to make a liberal cession to the United States, of a portion of their respective claims, for the common benefit of the Union : and whereas this State is willing to adopt every measure which can tend to promote the honor and dignity of the United States, and strengthen their Federal Union :

South Carolina
willing to strength-
en the Union, &c.

" Be it, therefore, enacted by the honorable the Senate and House of Representatives in General Assembly met and sitting, and by the authority of the same, That it shall and may be lawful for the delegates of this State to the Congress of the United States, or such of them as shall be assembled in Congress, and they are hereby fully authorized and empowered, for and on behalf of this State, by proper deeds or instruments in writing, under their hands and seals, to convey, transfer, assign, and make over, unto the United States in Congress assembled, for the benefit of the said States, all right, title, and claim, as well of soil as jurisdiction, which this State hath to the territory or tract of country within the limits of the charter of South Carolina, situate, lying, and being, within the boundaries and lines hereinafter described, that is to say : all the territory or tract of country included within the river Mississippi and a line beginning at that part of the said river which is intersected by the southern

boundary line of the State of North Carolina, and continuing along the said boundary line until it intersects the ridge or chain of mountains which divides the eastern from the western waters; then to be continued along the top of the said ridge of mountains, until it intersects a line to be drawn due west from the head of the southern branch of Tugoloo river, to the said mountains; and thence, to run a due west course, to the river Mississippi. In the Senate House, the eighth day of March, in the year of our Lord one thousand seven hundred and eighty-seven, and in the eleventh year of the independence of the United States of America. John Lloyd, President of the Senate; John Julius Pringle, Speaker of the House of Representatives." And whereas the said John Kean and Daniel Huger were, on the sixth day of March, one thousand seven hundred and eighty-seven, elected delegates to represent the State of South Carolina, according to the law of said State, in the Congress of the United States, until the first Monday in November, in the said year one thousand seven hundred and eighty-seven, which election remains in full force, and the said John Kean and Daniel Huger are the lawful delegates of said State, in the Congress of the United States: Now, therefore, know ye, ^{The delegates} that we, the said John Kean and Daniel Huger, by virtue of the power and authority to us committed by the said act of the General Assembly of South Carolina before recited, in the name and for and in behalf of the State of South Carolina, do, by these presents, assign, transfer, quit claim, cede, and convey, to the United States of America, for their benefit, (South Carolina inclusive,) all the right, title, interest, jurisdiction, and claim, which the State of South Carolina hath in and to the before-mentioned and described territory or tract of country, as the same is bounded and described in the said act of Assembly, for the uses in the said recited act of Assembly declared.

In witness whereof, we have hereunto set our hands and seals, this ninth day of August, in the year of our Lord one thousand seven hundred and eighty-seven, and of the sovereignty and independence of America the twelfth.

JOHN KEAN, [L. s.]
DANIEL HUGER, [L. s.]

Signed, sealed, and delivered, in presence of

CHARLES THOMSON,
ROGER ALDEN,
BENJAMIN BANKSON.

[Note.—The cession was accepted by Congress on the same day.]

No. 5.

Cession from the State of Connecticut.

In Congress,
September 14, 1786.

The delegates from Connecticut having thereupon proceeded and executed a deed of cession, agreeable to the resolution of the 26th May last, in the words following:

Deed of cession.

To all who shall see these presents, we, William Samuel Johnson and Jonathan Sturges, the underwritten delegates for the State of Connecticut in the Congress of the United States, send greeting: Whereas the General Assembly of the State of Connecticut, on the second Thursday of May, in the year of our Lord one thousand seven hundred and eighty-six, passed an act in the following words, viz:

Act of Connecticut
recited.

"Be it enacted by the Governor, Council, and Representatives, in General Court assembled, and by the authority of the same, That the delegates of this State, or any two of them, who shall be attending the Congress of the United States, be, and they are hereby, directed, authorized, and fully empowered, in the name and behalf of this State, to make, execute, and deliver, under their hands and seals, an ample deed of release and cession of all the right, title, interest, jurisdiction, and claim, of the State of Connecticut, to certain Western lands, beginning at the completion of the forty-first degree of north latitude, one hundred and twenty miles west of the western boundary line of the Commonwealth of Pennsylvania, as now claimed by said Commonwealth, and from thence, by a line drawn north, parallel to and one hundred and twenty miles west of the said west line of Pennsylvania, and to continue north until it comes to forty-two degrees and two minutes north latitude. Whereby all the right, title, interest, jurisdiction, and claim, of the State of Connecticut, to the lands lying west of said line to be drawn as aforementioned, one hundred and twenty miles west of the western boundary line of the Commonwealth of Pennsylvania, as now claimed by said Commonwealth, shall be included, released, and ceded, to the United States in Congress assembled, for the common use and benefit of the said States, Connecticut inclusive."

Authorizes a cession of territory west of a line 120 miles west of the western boundary of Pennsylvania.

Territory accordingly ceded.

Now, therefore, know ye, that we, the said William Samuel Johnson and Jonathan Sturges, by virtue of the power and authority to us committed by the said act of the General Assembly of Connecticut, before recited, in the name and for and on behalf of the said State of Connecticut, do, by these presents, assign, transfer, quit claim, cede, and convey, to the United States of America, for their benefit, Connecticut inclusive, all the right, title, interest, jurisdiction, and claim, which the said State of Connecticut hath in and to the before-mentioned and described territory or tract of country, as the same is bounded and described in the said act of Assembly, for the uses in the said recited act of Assembly declared.

In witness whereof, we have hereunto set our hands and seals, this thirteenth day of September, in the year of our Lord one thousand seven hundred and eighty-six, and of the sovereignty and independence of the United States of America the eleventh.

WILL. SAM. JOHNSON, [L. s.]
JONATHAN STURGES, [L. s.]

Signed, sealed, and delivered, in presence of

CHA. THOMSON,
ROGER ALDEN,
JAS. MATHERS.

On motion,

Resolved, That Congress accept the said deed of cession, and that the same be recorded and enrolled among the acts of the United States in Congress assembled. Cession accepted from Connecticut.

Deed and act of Connecticut.

To all who shall see these presents, I, Jonathan Trumbull, Governor of the State of Connecticut, send greeting :

Whereas the General Assembly of the State of Connecticut, at their session holden in Hartford, on the second Thursday of May, one thousand and eight hundred, passed an act entitled "An act renouncing the claims of this State to certain lands therein mentioned," in the words following, to wit: "Whereas the Congress of the United States, at their session begun and holden in the city of Philadelphia, on the first Monday of December, in the year one thousand seven hundred and ninety-nine, made and passed an act in the words following, to wit: [here follows the act of Congress of the 28th April, 1800:] therefore, in consideration of the terms and in compliance with the provisions and conditions of the said act,

"Be it enacted by the Governor and Council, and House of Representatives, in General Court assembled, That the State of Connecticut doth hereby renounce forever, for the use and benefit of the United States, and of the several individual States who may be therein concerned, respectively, and of all those deriving claims or titles from them or any of them, all territorial and jurisdictional claims whatever, under any grant, charter, or charters whatever, to the soil and jurisdiction of any and all lands whatever lying westward, northwestward, and southwestward, of those counties in the State of Connecticut which are bounded westwardly by the eastern line of the State of New York, as ascertained by agreement between Connecticut and New York, in the year one thousand seven hundred and thirty-three; excepting only from this renunciation the claim of the said State of Connecticut, and of those claiming from or under the said State of Connecticut, to the soil of said tract of land, in said

Act of Connecticut,
May, 1800.

Claims to lands beyond a certain line renounced.

act of Congress described under the name of the Western Reserve of Connecticut.

Governor authorized to relinquish claim of jurisdiction to the Western Reserve.

"And be it further enacted, That the Governor of this State for the time being be, and hereby is, empowered, in the name and behalf of this State, to execute and deliver to the acceptance of the President of the United States, a deed of the form and tenor directed by the said act of Congress, expressly releasing to the United States the jurisdictional claims of the State of Connecticut to all that territory called the Western Reserve of Connecticut, according to the description thereof in said act of Congress, and in as full and ample manner as therein is required."

Governor's deed of release, 30th May, 1800.

Therefore, know ye, that I, Jonathan Trumbull, Governor of the State of Connecticut, by virtue of the powers vested in me, as aforesaid, do, by these presents, in the name and for and on behalf of the said State, remise, release, and forever quit claim, to the United States, the jurisdictional claim of the State of Connecticut to all that tract of land called, in the aforesaid act of Congress, the Western Reserve of Connecticut, and as the same therein under that name is particularly and fully described.

In witness whereof, I have hereunto subscribed my name and affixed my seal, in the Council Chamber at Hartford, in the State of Connecticut, this thirtieth day of May, in the year of our Lord one thousand eight hundred, and in the twenty-fourth year of the independence of the United States.

JONATHAN TRUMBULL, [L. s.]

No. 6.

Spanish regulations for the allotment of lands.

Instructions of Governor Gayoso, for the administration of the posts and distribution of lands.

Instructions to be observed by the commandants of the posts in this province, for the admission of new settlers.

Spanish regulations, &c.

1. If the new settler comes from another post in the province, where he has obtained a grant of land, no other grant shall be made to him; and if he undertakes to fix himself down, he must buy lands, or produce my special permission for the grant; and in order to determine whether he has before obtained land or not, the commandant of the post from which he goes shall express it in his passport.

2. If the new settler is a stranger, and is not a farmer, nor married, nor has property in negroes, merchandise, or money, he shall have no right to solicit a grant of lands, until he has remained four years, conducting himself well, in some honest and useful occupation.

3. Artisans shall be fully protected, but no land shall be granted to them until they have acquired property, and have lived three years in the exercise of their art or profession. Spanish regulations, &c.

4. To no unmarried emigrant, who has not a trade or profession, shall lands be granted, till after the expiration of four years; and then only on his showing that he has been, without interruption, honestly employed in the cultivation of the earth; without which necessary circumstance he shall not be entitled to a grant.

5. If any person, as described in the last article, after having lived in the country two years, shall obtain a recommendation from a farmer of honesty, who shall be willing, from his industry and application, to give him his daughter in marriage, as soon as the marriage is accomplished in due form, he shall be entitled to receive a grant of land, agreeably to the terms contained in this instruction.

6. The privilege of enjoying liberty of conscience is not to extend beyond the first generation. The children of those who enjoy it must positively be Catholics. Those who will not conform to this rule are not to be admitted, but are to be sent back out of the province immediately, even though they possess much property.

7. In the Illinois, none shall be admitted but Catholics of the classes of farmers and artisans. They must also possess some property, and must not have served in any public character in the country from whence they come. The provisions of the preceding article shall be explained to the emigrants already established in the province, who are not Catholics, and shall be observed by them; the not having done it until this time being an omission, and contrary to the orders of his Majesty, which required it from the beginning.

8. The commandants will take particular care that no protestant preacher, or one of any sect other than the Catholic, shall introduce himself into the province. The least neglect in this respect will be a subject of great reprehension.

9. To every new settler, answering the foregoing description, and married, there shall be granted two hundred arpens of land; fifty arpens shall be added for every child he shall bring with him.

10. To every emigrant possessing property, and uniting the circumstances before mentioned, who shall arrive with an intention to establish himself, there shall be granted two hundred arpens of land; and, in addition, twenty arpens for every negro that he shall bring: *Provided, however,* That the grant shall never exceed eight hundred arpens to one proprietor. If he has such a number of negroes as would entitle him at the above rate to a larger grant, he will also possess the means of purchasing more than that quantity of land, if he wants it; and it is necessary, by all possible means, to prevent speculations in lands.

Spanish
tions, &c. regula-

11. No lands shall be granted to traders : as they live in the towns, they do not want them.

12. Immediately on the arrival of a new settler, the oath of fidelity shall be required of him. If he is married, he shall prove that the wife whom he brings with him is his lawful wife. If he has goods or personal property, they shall both declare what part of them belongs to the portion of the wife, and whether any part belongs to any person who is absent ; giving them to understand, that if the contrary of what they assert is proved, the lands which are granted to them shall be taken back, with all the improvements they may have made upon it.

13. At the time when they take the oath, the above particulars are to be attended to ; and no lands are to be granted for any negroes which are not proved to be lawfully and wholly the property of the emigrant ; nor for the wife whom he brings with him, unless she is proved to be his lawful wife. In default of making such proofs, he is to be taken as coming within the description given in the second article.

14. The new settler to whom lands have been granted shall lose them without recovery, if, in the term of one year, he shall not begin to establish himself upon them, or if, in the third year, he shall not have put under labor ten arpens in every hundred.

15. He shall not possess the right to sell his lands until he shall have produced three crops, on the tenth part of his lands which shall be well cultivated ; but in case of death, he may leave them to his lawful heir, if he has a resident in the country. If he has no heir in the country, they shall in no event go to an heir who is not of the country, unless such heir shall resolve to come and reside in it, conformably to the established conditions.

16. Debts contracted out of the province cannot be paid with the produce of lands thus granted, if there are debts due in the province, until after five harvests shall have been gathered. If, for bad conduct, it shall become necessary to eject the settler from the country, before he shall have made the three crops necessary to give him the dominion of the soil, and the right to dispose of it, the lands shall then again become united to the domain of the King : and in the same state shall be granted, alternately, to the young man, and to the young woman residing within one league of the land which shall thus become vacant, who by their good conduct shall best deserve such a gift. The question, who is entitled to this preference, shall be decided in an assembly of the most considerable people, headed by the commandant : which decision they shall make without any expense. They shall only consult me in the case, making known the circumstances for my approbation, and shall, without delay, put the deserving person in possession.

17. The forms established by my predecessors, in which to petition for lands, shall be followed under the conditions

expressed in this order, with the difference only, that when the quantity of land amounts to or exceeds three hundred arpens, the fees to the secretary must be paid.

Spanish regulations, &c.

18. It shall not be permitted to any new settler to form an establishment at a distance from other settlers. The grants of lands must be so made as not to leave pieces of vacant ground between one and another; since this would offer a greater exposure to the attacks of the Indians, and render more difficult the administration of justice, and the regulation of the police, so necessary in all societies, and more particularly in new settlements.

MANUEL GAYOSO DE LEMOS.

NEW ORLEANS, *September 9, 1797.*

[See Part II, No. 19.]

No. 7.

Treaty with Spain, of February 22, 1819.

[EXTRACT.]

ART. 8. All the grants of land made before the twenty-fourth of January, eighteen hundred and eighteen, by his Catholic Majesty, or by his lawful authorities, in the said territories ceded by his Majesty to the United States, shall be ratified and confirmed to the persons in possession of the lands, to the same extent that the same grants would be valid if the territories had remained under the dominion of his Catholic Majesty. But the owners in possession of such lands, who, by reason of the recent circumstances of the Spanish nation and the revolutions in Europe, have been prevented from fulfilling all the conditions of their grants, shall complete them within the terms limited in the same, respectively, from the date of this treaty; in default of which, the said grants shall be null and void. All grants made since the said twenty-fourth of January, eighteen hundred and eighteen, when the first proposal, on the part of his Catholic Majesty, for the cession of the Floridas, was made, are hereby declared and agreed to be null and void.

Grants of land before 24th January, 1818, confirmed, &c.

Owners to fulfil the conditions.

Grants since 24th January, 1818, null and void.

[See Part II, No. 33.]

No. 8.

Treaty with the French Republic.

The President of the United States of America, and the First Consul of the French Republic, in the name of the French people, desiring to remove all source of misunderstanding relative to objects of discussion mentioned in the second and fifth articles of the convention of the eighth Vendemiaire, an 9, (thirtieth September, eighteen hundred,) relative to

Desire of the parties to remove all source of misunderstanding relative to the construction of the treaty of Madrid of the 27th October, 1795, &c.

And to strengthen
the union and
friendship of the
two nations.

the rights claimed by the United States, in virtue of the treaty concluded at Madrid, the twenty-seventh October, seventeen hundred and ninety-five, between his Catholic Majesty and the said United States, and willing to strengthen the union and friendship which at the time of the said convention was happily re-established between the two nations, have respectively named their plenipotentiaries, to wit: the President of the United States of America, by and with the advice and consent of the Senate of the said States, Robert R. Livingston, minister plenipotentiary of the United States, and James Monroe, minister plenipotentiary and envoy extraordinary of the said States, near the Government of the French Republic; and the First Consul, in the name of the French people, the French citizen Barbe Marbois, Minister of the Public Treasury, who, after having respectively exchanged their full powers, have agreed to the following articles:

Retrocession of
Louisiana by Spain
to France stated.

Consideration of
the retrocession.

Title of France in-
contestable.

Cession from
France to the Uni-
ted States.

What is included
in the cession by
the preceding arti-
cle.

ART. 1. Whereas, by the article the third of the treaty concluded at St. Ildefonso, the ninth Vendemiaire, an nine, (first October, eighteen hundred,) between the First Consul of the French Republic and his Catholic Majesty, it was agreed as follows: "His Catholic Majesty promises and engages, on his part, to retrocede to the French Republic, six months after the full and entire execution of the conditions and stipulations herein relative to his Royal Highness the Duke of Parma, the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it; and such as it should be after the treaties subsequently entered into between Spain and other States." *And whereas*, in pursuance of the treaty, and particularly of the third article, the French Republic has an incontestable title to the domain and to the possession of the said territory: the First Consul of the French Republic, desiring to give to the United States a strong proof of his friendship, doth hereby cede to the said United States, in the name of the French Republic, forever and in full sovereignty, the said territory, with all its rights and appurtenances, as fully and in the same manner as they have been acquired by the French Republic in virtue of the above-mentioned treaty, concluded with his Catholic Majesty.

ART. 2. In the cession made by the preceding article are included the adjacent islands belonging to Louisiana, all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices, which are not private property. The archives, papers, and documents, relative to the domain and sovereignty of Louisiana and its dependencies, will be left in the possession of the commissaries of the United States, and copies will be afterwards given in due form, to the magistrates and municipal officers, of such of the said papers and documents as may be necessary to them.

ART. 3. The inhabitants of the ceded territory shall be in-

incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities, of citizens of the United States; and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

Inhabitants of the ceded territory to be incorporated in the Union, upon the principles of the federal constitution, &c.

ART. 4. There shall be sent by the Government of France a commissary to Louisiana, to the end that he do every act necessary, as well to receive from the officers of his Catholic Majesty the said country and its dependencies, in the name of the French Republic, if it has not been already done, as to transmit it in the name of the French Republic to the commissary or agent of the United States.

A commissary to be sent from France to receive the province of Louisiana from the Spanish officers, and to pass it over to the United States.

ART. 5. Immediately after the ratification of the present treaty by the President of the United States, and in case that of the First Consul shall have been previously obtained, the commissary of the French Republic shall remit all the military posts of New Orleans, and other parts of the ceded territory, to the commissary or commissaries named by the President to take possession; the troops, whether of France or Spain, who may be there, shall cease to occupy any military post from the time of taking possession, and shall be embarked as soon as possible, in the course of three months after the ratification of this treaty.

Period of surrendering the military posts, &c. to the United States.

ART. 6. The United States promise to execute such treaties and articles as may have been agreed between Spain and the tribes and nations of Indians, until, by mutual consent of the United States and the said tribes or nations, other suitable articles shall have been agreed upon.

The United States to execute the treaties of Spain with the Indians, &c.

ART. 7. As it is reciprocally advantageous to the commerce of France and the United States to encourage the communication of both nations for a limited time in the country ceded by the present treaty, until general arrangements relative to the commerce of both nations may be agreed on, it has been agreed between the contracting parties, that the French ships coming directly from France or any of her colonies, loaded only with the produce or manufactures of France or her said colonies, and the ships of Spain coming directly from Spain or any of her colonies, loaded only with the produce or manufactures of Spain or her colonies, shall be admitted during the space of twelve years in the ports of New Orleans, and in all other legal ports of entry within the ceded territory, in the same manner as the ships of the United States coming directly from France or Spain, or any of their colonies, without being subject to any other or greater duty on merchandise, or other or greater tonnage, than those paid by the citizens of the United States.

The vessels of France and Spain, laden with the productions of their respective countries, and entering ports of Louisiana, entitled to the same privileges, for twelve years, as vessels of the United States, from France or Spain, entering the same ports.

During the space of time above mentioned, no other nation shall have a right to the same privileges in the ports of the ceded territory. The twelve years shall commence

No other nation entitled to the same privileges during the said period of twelve years.

Object of the indulgence to French and Spanish vessels.

three months after the exchange of ratifications, if it shall take place in France, or three months after it shall have been notified at Paris to the French Government, if it shall take place in the United States; it is, however, well understood, that the object of the above article is to favor the manufactures, commerce, freight, and navigation, of France and of Spain, so far as relates to the importations that the French and Spanish shall make into the said ports of the United States, without in any sort affecting the regulations that the United States may make concerning the exportation of the produce and merchandise of the United States, or any right they may have to make such regulations.

After the expiration of the twelve years, the vessels of France to be upon the footing of those of the most favored nations.

ART. 8. In future and forever after the expiration of the twelve years, the ships of France shall be treated upon the footing of the most favored nations in the ports above mentioned.

A particular convention, providing for the payment of debts to citizens of the United States, to be ratified herewith.

ART. 9. The particular convention signed this day by the respective ministers, having for its object to provide for the payment of debts due to the citizens of the United States by the French Republic, prior to the thirtieth of September, eighteen hundred, (eight Vendemiaire, nine,) is approved, and to have its execution in the same manner as if it had been inserted in the present treaty, and it shall be ratified in the same form and in the same time, so that the one shall not be ratified distinct from the other.

Another convention, relative to a definitive rule between the parties, to be ratified at the same time.

Another particular convention, signed at the same date as the present treaty, relative to a definitive rule between the contracting parties, is in the like manner approved, and will be ratified in the same form, and in the same time, and jointly.

Ratifications to be exchanged in six months.

ART. 10. The present treaty shall be ratified in good and due form, and the ratifications shall be exchanged in the space of six months after the date of the signature by the ministers plenipotentiary, or sooner if possible.

In faith whereof, the respective plenipotentiaries have signed these articles in the French and English languages, declaring, nevertheless, that the present treaty was originally agreed to in the French language; and have thereunto put their seals.

Done at Paris, the tenth day of Floreal, in the eleventh year of the French Republic, and the thirtieth April, eighteen hundred and three.

ROBERT R. LIVINGSTON, [L. S.]
JAMES MONROE, [L. S.]
BARBE MARBOIS, [L. S.]

See Part II, No. 29.]

No. 9.

Treaty between the United States and Sweden.

[EXTRACT.]

ART. 6. The subjects of the contracting parties in the respective States may freely dispose of their goods and effects, either by testament, donation, or otherwise, in favor of such persons as they think proper; and their heirs, in whatever place they shall reside, shall receive the succession even *ab intestato*, either in person or by their attorney, without having occasion to take out letters of naturalization. These inheritances, as well as the capitals and effects which the subjects of the two parties, in changing their dwelling, shall be desirous of removing from the place of their abode, shall be exempted from all duty called, "*droit de detraction*," on the part of the Government of the two States, respectively. But it is at the same time agreed, that nothing contained in this article shall in any manner derogate from the ordinances published in Sweden against emigrations, or which may hereafter be published, which shall remain in full force and vigor. The United States, on their part, or any of them, shall be at liberty to make, respecting this matter, such laws as they think proper.

Citizens of each country to enjoy in that of the other the rights of devise, donation, and of inheritance, &c. without naturalization.

[See Part II. No. 92.]

No. 10.

Contracts between the State of New York and different tribes of the Six Nations of Indians, specifying their several cessions and reservations of land, &c.

On the 19th of April, 1793, George Clinton, Governor of New York, transmitted to Thomas Jefferson, Secretary of State of the United States, an exemplification of the different treaties entered into by that Commonwealth with the Indians of the Six Nations, subsequent to the conclusion of the war of the American Revolution. In his letter to Mr. Jefferson, Governor Clinton says: "I had written to the clerk of the city of Albany, and did not receive his answer until yesterday. He informs, as I suspected, that the superintendent of Indian affairs, under the British Government, was, at the commencement of the Revolution, possessed of all the records and documents respecting Indian affairs, and took them with him when he left the country."

Letter from George Clinton to Thomas Jefferson.

The British superintendent took off the records of Indian affairs.

The exemplification thus transmitted contains a transcript from the record book of Indian deeds, remaining in the office of the Secretary of the State of New York, and commencing in the year 1748. This transcript embraces—

1. A deed executed by the sachems and chief warriors of the Oneida and Tuscarora nations, at a treaty held at Fort Herkimer, with George Clinton and other commissioners for Indian affairs for the State of New York, whereby the afore-

Deed from the Oneida and Tuscaroras, at a treaty held at Fort Herkimer, on the 26th of June, 1753.

said sachems and chief warriors conveyed, on the 28th day of June, 1785, for the consideration of \$11,500 in goods and money, "all that tract of land situate on the west side of the line commonly called the line of property, established at a treaty held at Fort Stanwix, in 1768, and on the north side of the Pennsylvania line, beginning at the mouth of the Unadilla or Tianaderha river, where the same empties into the Susquehanna river; thence, up the said Unadilla or Tianaderha river, ten miles, measured on a straight line; thence, due west, to the Chenango river; thence, southerly, down the said Chenango river, to where it empties into the said Susquehanna river, and to the said line called the line of property; thence, along the said line, to the place of beginning, so as to comprehend all the land belonging to the Oneida and Tuscarora nations, lying south of the said line to be run from the said Unadilla or Tianaderha river, to the Chenango river, and north of the division line between the State of New York and the State of Pennsylvania, together with all ways, waters, watercourses, rivers, rivulets, creeks, and streams of water, and also all mines and minerals which are or may be found thereon," &c.

Contract with the Onondagas, at a treaty held at Fort Schuyler, on the 12th of September, 1788

2. A contract executed by the tribe or nation of Indians called the Onondagas, at a treaty held at Fort Schuyler, (formerly called Fort Stanwix,) with George Clinton, and William Floyd, Ezra L'Hommiedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Gansevoort, junior, commissioners on behalf of the people of the State of New York, whereby the aforesaid Onondagas stipulated, on the 12th day of September, 1788, as follows: "*First.* The Onondagas do cede and grant all their lands to the people of the State of New York, forever. *Secondly.* The Onondagas shall, of the said ceded lands, hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of to others, all that tract of land beginning at the southerly end of the Salt lake, at the place where the river or stream on which the Onondagas now have their village empties into the said lake, and runs from the said place of beginning, east, three miles; thence, southerly, according to the general course of the said river, until it shall intersect a line running east and west at the distance of three miles south from the said village; thence, from the said point of intersection, west, nine miles; thence, northerly, parallel to the second course above mentioned; until an east line will strike the place of beginning; and thence, east, to the said place of beginning. *Thirdly.* The Onondagas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the same. *Fourthly.* The Salt lake, and the lands for one mile round the same, shall forever remain for the common benefit of the people of the State of New York, and of the Onondagas and their posterity, for the purpose of making salt, and shall not

be granted or in any wise disposed of for other purposes.

Fifthly. In consideration of the said cession and grant, the people of the State of New York do, at this treaty, pay to the Onondagas one thousand French crowns in money, and two hundred pounds in clothing, at the price which the same cost the people of the State of New York. And the people of the State of New York shall annually pay to the Onondagas and their posterity, forever, on the first day of June, in every year, at Fort Schuyler, five hundred dollars in silver; but if the Onondagas or their posterity shall, at any time hereafter, elect that the whole or any part of the said five hundred dollars shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the Governor of the said State for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Onondagas or their posterity shall elect, and at the price which the same shall cost the people of the State of New York, at Fort Schuyler aforesaid. *Sixthly.* The people of the State of New York may, in such manner as they shall deem proper, prevent any persons except the Onondagas from residing or settling on the lands so to be held by the Onondagas and their posterity, for their own use and cultivation; and if any persons shall, without the consent of the people of the State of New York, come to reside or settle on the said lands, or on any other of the lands so ceded as aforesaid, the Onondagas and their posterity shall forthwith give notice of such intrusions to the Governor of the said State for the time being; and, further, the Onondagas and their posterity, forever, shall, at the request of the Governor of the said State, be aiding to the people of the State of New York in removing all such intruders, and in apprehending, not only such intruders, but also felons and other offenders who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice."

3. A contract executed at a treaty held at Fort Schuyler, (formerly Fort Stanwix,) by the Oneida tribe or nation of Indians, on the 22d of September, 1788, with George Clinton, William Floyd, Ezra L'Hommiedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Gansevoort, junior, commissioners on behalf of the State of New York, by which the Oneidas entered into the following stipulations: "*First.* The Oneidas do cede and grant all their lands to the people of the State of New York, forever. *Secondly.* Of the said ceded lands, the following tract, to wit: beginning at the Wood creek, opposite to the mouth of the Canada creek, and where the line of property comes to the said Wood creek, and runs thence, southerly, to the northwest corner of the tract to be granted to John Francis Perache; thence, along the westerly bounds of the said tract, to the southwest corner thereof; thence, to the northwest corner of the tract granted to James Dean; thence, along the westerly bounds thereof,

Contract with the Oneidas, at a treaty held at Fort Schuyler, on the 22d of September, 1788.

Contract with the Oneidas, at a treaty held at Fort Schuyler, on the 22d of September, 1788.

to the southwest corner of the last-mentioned tract ; thence, due south, until it intersects a due west line from the head of the Tianaderha or Unadilla river ; thence, from the said point of intersection, due west, until the Deep spring bears due north ; thence, due north, to the Deep spring ; thence, the nearest course, to the Canaseraga creek ; and thence, along the said creek, the Oneida lake, and the Wood creek, to the place of beginning, shall be reserved for the following several uses, that is to say : the lands lying to the northward of a line parallel to the southern line of the said reserved lands, and four miles distant from the said southern line, the Oneidas shall hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of to others. The Oneidas may, from time to time, forever, make leases of the lands between the said parallel lines (being the residue of the said reserved lands) to such persons, and on such rents reserved, as they shall deem proper ; but no lease shall be for a longer term than twenty-one years from the making thereof ; and no new lease shall be made until the former lease of the same lands shall have expired. The rents shall be to the use of the Oneidas and their posterity, forever. And the people of the State of New York shall, from time to time, make provision by law to compel the leasees to pay the rents, and in every other respect to enable the Oneidas and their posterity to have the full benefit of their right so to make leases and to prevent frauds on them respecting the same. And the Oneidas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the same ; and, especially, there shall forever remain, ungranted by the people of the State of New York, one half mile square, at the distance of every six miles of the lands along the northern bounds of the Oneida lake ; one half mile in breadth of the lands on each side of the Fish creek, and a convenient piece of land at the fishing-place in the Onondaga river, about three miles from where it issues out of the Oneida lake, and to remain as well for the Oneidas and their posterity as for the inhabitants of the said State to land and encamp on. But, notwithstanding any reservation to the Oneidas, the people of the State of New York may erect public works and edifices as they shall think proper, at such place and places, at or near the confluence of the Wood creek and the Oneida lake, as they shall elect, and may take and appropriate for such works or buildings, lands to the extent of one square mile at each place : and, further, notwithstanding any reservations of lands to the Oneidas, for their own use, the New England Indians (now settled at Brotherton, under the pastoral care of the reverend Samson Occum) and their posterity, forever, and the Stockbridge Indians and their posterity, forever, are to enjoy their settlements on the lands heretofore given to them by the Oneidas for that purpose, that is

to say: a tract of two miles in breadth and three miles in length for the New England Indians, and a tract of six miles square for the Stockbridge Indians. *Thirdly.* In consideration of the said cession and grant, the people of the State of New York do, at this treaty, pay to the Oneidas two thousand dollars in money, two thousand dollars in clothing and other goods, and one thousand dollars in provisions; and, also, five hundred dollars in money, to be applied towards building a grist-mill and saw-mill, at their village. And the people of the State of New York shall annually pay to the Oneidas and their posterity, forever, on the first day of June, in every year, at Fort Schuyler, six hundred dollars in silver; but if the Oneidas or their posterity shall, at any time hereafter, elect that the whole or any part of the said six hundred dollars shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the Governor of the said State for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Oneidas and their posterity shall elect, and at the price which the same shall cost the people of the State of New York at Fort Schuyler. And as a further consideration to the Oneidas, the people of the State of New York shall grant to the said John Francis Perache a tract of land, beginning in the line of property, at a certain cedar tree, near the road leading to Oneida, and runs from the said cedar tree, southerly, along the line of property, two miles; then, westerly, at right angles to the said line of property, two miles; then, northerly, at right angles to the last course, two miles, and then to the place of beginning; which the said John Francis Perache hath consented to accept from the Oneidas, in satisfaction for an injury done to him by one of their nation. And, further, the lands intended by the Oneidas for John T. Kirkland and for George W. Kirkland, being now appropriated to the use of the Oneidas, the people of the State of New York shall, therefore, by a grant of other lands, make compensation to the said John T. Kirkland and George W. Kirkland. And, further, that the people of the State of New York shall, as a benevolence from the Oneidas to Peter Penet, and in return for services rendered by him to their nation, grant to the said Peter Penet, of the said ceded lands lying to the northward of the Oneida lake, a tract of ten miles square, wherever he shall elect the same. *Fourthly.* The people of the State of New York may, in such manner as they shall deem proper, prevent any persons except the Oneidas from residing or settling on the lands so to be held by the Oneidas and their posterity, for their own use and cultivation. And if any persons shall, without the consent of the people of the State of New York, come to reside or settle on the said lands, or on any other of the lands so ceded as aforesaid, except the lands whereof the Oneidas may make leases as aforesaid, the Oneidas and their posterity shall forthwith give notice of such intrusions to the Governor of

Contract with the Oneidas, at a treaty held at Fort Schuyler, on the 22d of September, 1788.

the said State for the time being. And, further, the Oneidas and their posterity, forever, shall, at the request of the Governor of the said State, be aiding to the people of the State of New York in removing all such intruders, and in apprehending, not only such intruders, but also felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Before the execution hereof, the Oneidas, in public council, declared to the commissioners that they had, in return for his frequent good offices to them, given to John J. Bleeker, of the lands reserved for their own use, one mile square, adjoining to the lands of James Dean, and requested that the same might be granted and confirmed to him by the State."

Contract with the Cayugas, at a treaty held at Albany, on the 25th of February, 1789.

4. A contract executed by the sachems, chiefs, and warriors, of the tribe or nation of Indians called the Cayugas, at a treaty held in the city of Albany, with George Clinton, Pierre Van Courtlandt, Ezra L'Homedieu, Abraham Ten Broeck, John Hathorn, Samuel Jones, Peter Gansevoort, junior, and Egbert Benson, commissioners on behalf of the State of New York, by which the said sachems, chiefs, and warriors, of the Cayugas, covenanted, on the 25th of February, 1789, as follows: "*First.* The Cayugas do cede and grant all their lands to the people of the State of New York, forever. *Secondly.* The Cayugas shall, of the said ceded lands, hold to themselves and to their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of to others, all that tract of land, beginning at the Cayuga salt spring, on the Seneka river, and running thence, southerly, to intersect the middle of a line to be drawn from the outlet of Cayuga to the outlet of Waskongh, and from the said place of intersection, southerly, the general course of the eastern bank of the Cayuga lake; thence, westerly, to intersect a line running on the west side of the Cayuga lake, at the mean distance of three miles from the western bank thereof; and from the said point of intersection, along the said line, so running on the west side of the Cayuga lake, to the Seneka river; thence down the said river, to the Cayuga lake; thence, through the said lake, to the outlet thereof; thence, further down the said Seneka river, to the place of beginning, so as to comprehend within the limits aforesaid, and exclusive of the water of Cayuga lake, the quantity of one hundred square miles. Also, the place in the Seneka river, at or near a place called Skayes, where the Cayugas have heretofore taken eel; and a competent piece of land on the southern side of the river, at the said place, sufficient for the Cayugas to land and encamp on, and to cure their eel. Excepted, nevertheless, out of the said lands so reserved, one mile square at the Cayuga ferry. *Thirdly.* The Cayugas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within

the same. *Fourthly.* In consideration of the said cession and grant, the people of the State of New York do, at this present treaty, pay to the Cayugas five hundred dollars in silver; and the people of the State of New York shall pay to the Cayugas, on the first day of June next, at Fort Schuyler, (formerly called Fort Stanwix,) the further sum of one thousand six hundred and twenty-five dollars; and, also, the people of the State of New York shall annually pay to the Cayugas and their posterity, forever, on the first day of June, in every year thereafter, at Fort Schuyler aforesaid, five hundred dollars in silver. But if the Cayugas or their posterity shall, at any time hereafter, elect that the whole or any part of the said annual payment of five hundred dollars shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the Governor of the said State for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Cayugas or their posterity shall elect, and at the price which the same shall cost the people of the State of New York at Fort Schuyler aforesaid. And, as a further consideration to the Cayugas, the people of the State of New York shall grant to their adopted child, Peter Ryckman, whom they have expressed a desire should reside near them, to assist them, and as a benevolence from them, the Cayugas, to him, and in return for services rendered by him to their nation, the said tract of one mile square at the Cayuga ferry, excepted out of the said lands reserved to the Cayugas for their own use and cultivation, that of a tract beginning on the west bank of the Seneca lake; thence, running due west, (passing one chain north of a house lately erected, and now in the occupation of the said Peter Ryckman,) to the line of partition between this State of New York and the Commonwealth of Massachusetts, of the lands ceded to each other; thence, due south, along the said line of partition; thence, due east, to the Seneca lake; thence, northerly, along the bank of the said lake, to the place of beginning, so as to contain sixteen thousand acres. The people of the State of New York shall grant three hundred and twenty acres to a white person married to a daughter of a Cayuga named Thaniowes, including the present settlement of the said person on the south side of Caghion creek; and that the people of the State of New York shall grant the residue of the said tract of sixteen thousand acres to the said Peter Ryckman. *Fifthly.* The people of the State of New York may, at all times hereafter, in such manner and by such means as they shall deem proper, prevent any persons, except the Cayugas and their adopted brethren the Paanese, from residing or settling on the lands to be held by the Cayugas and their posterity, for their own use and cultivation. And if any persons shall, without the consent of the people of the State of New York, come to reside or settle on the said lands, or any other of the lands so ceded as aforesaid, the Cayugas and their posterity shall forth-

Contract with the Cayugas, at a treaty held at Albany, on the 25th of February, 1789.

Contract with the Cayugas, at a treaty held at Albany, on the 25th of February, 1789.

with give notice of such intrusions to the Governor of the said State for the time being : and, further, the Cayugas and their posterity, forever, shall, at the request of the Governor of the said State, be aiding to the people of the State of New York in removing all such intruders, and apprehending, not only such intruders, but felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Notwithstanding the said reservation hereinabove specified to the Cayugas, it is declared to be the intent of the parties that the Cayuga called the Fish Carrier shall have a mile square of the said reserved lands, for the separate use of himself, and for the separate use of his family, forever. Before sealing and delivery hereof, it was, for the greater certainty, declared to be the intent of the parties, that this grant and cession is only of the lands eastward of the partition line above mentioned, between this State of New York and the Commonwealth of Massachusetts ; and that, with respect to such part of their country as is to the westward of the said partition line, the right and property of the Cayugas to be the same as if this grant and cession had not been made. The Cayuga salt spring, and the land to the extent of one mile around the same, to remain for the common use and benefit of the people of the State of New York, and of the Cayugas and their posterity, forever. And the land to be reserved at the fishing-place near Skayes shall be of the extent of one mile on each side of the river, the above reservation of land on the southern side of the river, only, notwithstanding."

Acknowledgment, confirmation, &c., by the Cayugas, at a treaty held at Fort Stanwix, on the 22d of June, 1790.

5. At a treaty held at Fort Stanwix, on the 22d of June, 1790, between George Clinton, Pierre Van Cortlandt, Ezra L'Homedieu, Abraham Ten Broeck, Peter Gansevoort, junior, and Richard Varick, commissioners on behalf of the State of New York, and the sachems, chiefs, and warriors, of the tribe or nation of Indians called the Cayugas, the latter acknowledged to have received from the people of the State of New York the sum of five hundred dollars in silver, being the annual payment stipulated to be made to the said Cayugas, by the (next preceding) contract of the 25th of February, 1789 ; and, also, the further sum of one thousand dollars, as a benevolence. To this acknowledgment is added the following stipulation : " And we, the said Cayugas, in consideration thereof, do, by these presents, fully, freely, and absolutely, ratify and confirm the said agreement and cession, and all and singular the articles, covenants, matters, and things therein expressed and contained, on the part of us, the said Cayugas, done, or to be done, executed, or performed : and we, the said Cayugas, do further hereby grant and release, to the people of the State of New York, all our right, interest, and claim, in and to all lands lying east of the line of cession by the State of New York to the Common-

wealth of Massachusetts, except the lands mentioned in the deed of cession, (of the 25th of February, 1789,) to be reserved to us, the Cayugas, and our posterity."

6. At a council fire kindled at Fort Stanwix, on the 16th day of June, 1790, at which were present George Clinton, Pierre Van Cortlandt, Ezra L'Homedieu, Abraham Ten Broeck, Peter Gansevoort, junior, and Richard Varick, commissioners on behalf of the State of New York, and the sachems, chiefs, and warriors, of the tribe or nation of Indians called the Onondagas, the latter acknowledged to have received from the people of the State of New York the sum of five hundred dollars in silver, being the annual payment stipulated to be made to the said Onondagas, by the contract of the twelfth of September, 1788, and, also, the further sum of five hundred dollars, as a benevolence: "And the said Onondagas do, by these presents, fully, freely, and absolutely, ratify and confirm the said agreement and deed of cession, and all and singular the articles, covenants, and things therein expressed and contained, on the part of the said Onondagas, done, or to be done, executed, or performed."

Acknowledgment and confirmation by the Onondagas, at a council fire kindled at Fort Stanwix, on the 16th of June, 1790.

[*Note.*—Some of the Indian tribes composing the Six Nations are parties to other treaties or contracts, entered into with or under the sanction of the United States, to wit: the two contracts of Buffalo creek, of the 30th of June, 1802, and the treaty of Oneida, of the 2d of December, 1794.]

[See Part II, Nos. 44, 47.]

No. 11.

Contract between the State of New York and the Seven Nations (of Indians) of Canada, entered into under the sanction of the United States of America.*

No. 1. At a treaty held at the city of New York, with the nations or tribes of Indians denominating themselves the Seven Nations of Canada, Abraham Ogden, commissioner, appointed under the authority of the United States to hold the treaty, Ohnawelo, alias Goodstream, Teharagwanegen, alias Thomas Williams, two chiefs of the Caghnewagas; Atiatoharongwan, alias Colonel Lewis Cook, a chief of the St. Regis Indians, and William Gray, deputies, authorized to represent the Seven Nations or tribes of Indians at the treaty, and Mr. Gray serving also as interpreter; Egbert Benson, Richard Varick, and James Watson, agents for the State of New York; William Constable and Daniel McCormick, purchasers under Alexander Macomb:

Contract between New York and the Seven Nations.

The agents for the State having, in the presence and with the approbation of the commissioner, proposed to the deputies for the Indians the compensation hereinafter mentioned, for the extinguishment of their claim to all lands within the State, and the said deputies being willing to accept the same, it is thereupon granted, agreed, and concluded, between the

Cession by the Seven Nations to the State of New York of lands within that State.

* By act of March 30, 1802, no purchase of lands from Indian tribes or nations is valid in law or equity, unless made by treaty, pursuant to the constitution. By the same act, it is made a misdemeanor in any person, not employed under the authority of the United States, to treat with any Indian nation or tribe of Indians, for the title or purchase of any lands by them held or claimed, and punishable by fine and imprisonment.

said deputies and the said agents, as follows: the said deputies do, for and in the name of the said Seven Nations or tribes of Indians, cede, release, and quit claim, to the people of the State of New York, forever, all the claim, right, or title, of them, the said Seven Nations or tribes of Indians, to lands within the said State: *Provided, nevertheless*, That the tract equal to six miles square, reserved in the sale made by the commissioners of the land office of the said State to Alexander Macomb, to be applied to the use of the Indians of the village of St. Regis, shall still remain so reserved. The said agents do, for and in the name of the people of the State of New York, grant to the said Seven Nations or tribes of Indians, that the people of the State of New York shall pay to them, at the mouth of the river Chazy, on Lake Champlain, on the third Monday in August next, the sum of one thousand two hundred and thirty-three pounds six shillings and eight pence, and the further sum of two hundred and thirteen pounds six shillings and eight pence, lawful money of the said State; and on the third Monday in August, yearly, forever thereafter, the like sum of two hundred and thirteen pounds six shillings and eight pence: *Provided, nevertheless*, That the people of the State of New York shall not be held to pay the said sums, unless, in respect to the two sums to be paid on the third Monday in August next, at least twenty, and in respect to the said yearly sum to be paid thereafter, at least five of the principal men of the said Seven Nations or tribes of Indians, shall attend as deputies to receive and to give receipts for the same. The said deputies having suggested that the Indians of the village of St. Regis have built a mill on Salmon river, and another on Grass river, and that the meadows on Grass river are necessary to them for hay; in order, therefore, to secure to the Indians of the said village the use of the said mills and meadows, in case they should hereafter appear not to be included within the above tract so to remain reserved, it is, therefore, also agreed and concluded between the said deputies, the said agents, and the said William Constable and Daniel McCormick, for themselves and their associates, purchasers, under the said Alexander Macomb, of the adjacent lands, that there shall be reserved, to be applied to the use of the Indians of the said village of St. Regis, in like manner as the said tract is to remain reserved, a tract of one mile square, at each of the said mills, and the meadows on both sides of the said Grass river, from the said mill thereon to its confluence with the river St. Lawrence.

Provido; as to the tract reserved to Alexander Macomb.

The State of New York to pay £1,223 6s. 8d. and £213 6s. 8d. and a like annuity forever.

Provido; as to the presence of Indian deputies to receive payment, &c.

Reservations for the Indians of the village of St. Regis.

In testimony whereof, the said commissioner, the said deputies, the said agents, and the said William Constable and Daniel McCormick, have hereunto, and to two other acts of the same tenor and date, one to remain with the United States, another to remain with the State of New York, and another to remain with the said Seven Nations or tribes of Indians, set their hands

and seals, in the city of New York, the thirty-first day of May, in the twentieth year of the independence of the United States, one thousand seven hundred and ninety-six.

Abraham Ogden,	[L. S.]
Egbert Benson,	[L. S.]
Richard Varick,	[L. S.]
James Watson,	[L. S.]
William Constable,	[L. S.]
Daniel McCormick,	[L. S.]
Ohaweso, alias Goodstream,	his x mark, [L. S.]
Otiatokarongwan, alias Col. Lewis Cook,	his x mark, [L. S.]
William Gray,	[L. S.]
Teharagwanegen, alias Thomas Williams,	his x mark, [L. S.]

Signed, sealed, and delivered, in the presence of
 Samuel Jones, *Recorder of the city of New York.*
 John Taylor, *Recorder of the city of Albany.*
 Joseph Ogden Hoffman, *Attorney General of the State of New York.*

[See Part II, Nos. 44, 47.]

No. 12.

Extract from the second charter of Virginia.

SEC. 6. "And we do also, of our special grace, &c. give, ^{23d May, 1609.} &c. unto the said treasurer and company, &c. all those lands, ^{7 James I.} countries, and territories, situate, lying, and being, in that part of America called Virginia, from the point of land called Cape or Point Comfort, all along the seacoast to the northward, two hundred miles, and from the said point of Cape Comfort, all along the seacoast to the southward, two hundred miles; and all that space and circuit of land lying from the seacoast of the precinct aforesaid up into the land throughout from sea to sea, west and northwest; and, also, all the islands lying within one hundred miles along the coast of both seas of the precinct aforesaid."

[The first charter, dated 10th April, 1606, extended along the seacoast from the 34th to the 41st degree of north latitude, but only fifty miles inland. The third charter, dated March 12, 1612, annexed to Virginia all the islands within three hundred leagues of the coast. Those three charters were vacated by *quo warranto* before the 15th July, 1624; on which day a commission issued for the Government of Virginia, without making, however, any alteration in the boundaries established by the second charter. The colony was afterwards curtailed on the north by the grants to Lord Baltimore and to William Penn, and on the south by that to the proprietors of Carolina. The charters of Maryland and Pennsylvania are not inserted, as those States made no cession to the United States. New York, Connecticut, and Massachusetts, being the only States that had or laid any claims to the territory north of the river Ohio and west of Pennsylvania, the cessions of those States have given to the United States an indisputable title to the public lands within that territory, as far west as the river Mississippi, which, by the treaty of 1763, had been established as the boundary between British America and Louisiana.]

[See Part II, Nos. 35, 43, 134, 136, 137.]

No. 13.

An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians.

[EXTRACT.]

The surveyor general of the public lands south of Tennessee to cause to be surveyed, &c. so much of the lands ceded by the Cherokees and Chickasaws as lies within the Mississippi Territory, &c.

The President authorized to establish a land office, appoint a register and receiver, &c.

SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor general of the public lands south of Tennessee to cause to be surveyed and laid out, in the same manner as is provided by law for the other public lands in the Mississippi Territory, so much of the lands ceded to the United States by the Cherokees and Chickasaws as lies within the said Territory; and the President of the United States is hereby authorized, whenever he shall think it proper, to establish a land office for the sale of the said lands, and to appoint a register of the same, and a receiver of the public moneys accruing from the sale of the said lands, whose respective emoluments and duties shall be the same as those of the registers and receivers of the other land offices in the said Territory.

Approved, March 3, 1807.

[See Part II, Nos. 64, 641, 642, 668, 670.]

No. 14.

An act to amend an act entitled "An act making further provision for military services during the late war."

[EXTRACT.]

Relinquishment of title to bounty land entitles children of regular soldiers to four dollars per month.

SEC. 6. *And be it further enacted*, That in all cases where the child or children of a regular soldier, deceased, have the right, under the laws of the United States, to relinquish their bounty in land for five years' half pay, the said child or children shall be entitled to the same amount as is given by the act to the widows of the militia soldiers who died in service during the late war, viz: four dollars per month.

Approved, March 3, 1817.

[See Part II, No. 91.]

No. 15.

Definitive treaty of peace between the United States of America and his Britannic Majesty.

[EXTRACT.]

The boundaries of the United States and their Territories defined and admitted.

ART. 2. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared that the

following are and shall be their boundaries, viz : from the northwest angle of Nova Scotia, viz : that angle which is formed by a line drawn due north from the source of St. Croix river to the highlands ; along the said highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean, to the northwesternmost head of Connecticut river ; thence, down along the middle of that river, to the forty-fifth degree of north latitude ; from thence, by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy ; thence, along the middle of said river, into Lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and Lake Erie ; thence, along the middle of said communication, into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron ; thence, along the middle of said water communication, into the Lake Huron ; thence, through the middle of said lake, to the water communication between that lake and Lake Superior ; thence, through Lake Superior, northward of the isles Royal and Philipeaux, to the Long Lake ; thence, through the middle of said Long Lake and the water communication between it and the Lake of the Woods, to the said Lake of the Woods ; thence, through the said lake, to the most northwestern point thereof, and from thence, on a due west course, to the river Mississippi ; thence, by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-first degree of north latitude. South, by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola or Catahouche ; thence, along the middle thereof, to its junction with the Flint river ; thence, straight to the head of St. Mary's river ; and thence, down along the middle of St. Mary's river, to the Atlantic ocean. East, by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source, directly north, to the aforesaid highlands which divide the rivers that fall into the Atlantic ocean from those which fall into the river St. Lawrence ; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries, between Nova Scotia on the one part and East Florida on the other, shall, respectively, touch the Bay of Fundy and the Atlantic ocean, excepting such islands as now are or heretofore have been within the limits of the said province of Nova Scotia.

[See Part II, No. 997.]

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TO

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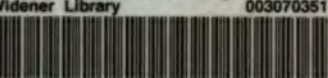
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